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APR 12 2005	
CLERK U.S. DISTRICT COURT	
DISTRICT OF ARIZONA	
BY	DEPUTY

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15 **UNITED STATES DISTRICT COURT**  
16 **FOR THE DISTRICT OF ARIZONA**

17 **VERONICA ARNOLD**, on behalf of  
18 herself and all other persons similarly  
19 situated, et al.,

20 Plaintiffs,

21 v.

22 **ARIZONA DEPARTMENT OF**  
23 **PUBLIC SAFETY (DPS)**, et al.

24 Defendants.  
25

CIV 01-1463 PCT-JAT

**MOTION FOR APPROVAL OF  
PROPOSED SETTLEMENT AND  
CLASS CERTIFICATION**


58

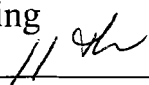
1 Plaintiffs, through counsel, move this Court pursuant to Rule 23(e) of the  
2 Federal Rules of Civil Procedure ("FRCP") for an order certifying a class of  
3 plaintiffs and approving a settlement on behalf of that class and the defendants. (A  
4 copy of the proposed Settlement Agreement is attached hereto as "Exhibit A"). If  
5 approved, the settlement will resolve all claims pending before this Court in this  
6 matter. More specifically, Plaintiffs move this Court to:  
7

- 8 1. Enter an Order suspending the judgment of dismissal this Court entered on  
9 April 14, 2003, in order that this Court may proceed with its review of the  
10 proposed Settlement Agreement;  
11
- 12 2. Preliminarily approve the proposed Settlement Agreement;  
13
- 14 3. Preliminarily approve certification of the class for settlement purposes;  
15
- 16 4. Approve the proposed form of Notice to members of the class of plaintiffs;  
17 and  
18
- 19 5. Schedule a Fairness Hearing for a date and time after class notice has been  
20 given at which evidence in support of and in opposition to the settlement  
21 and class certification may be presented.

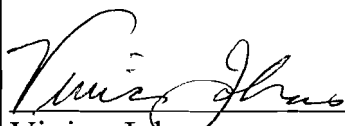
22 This motion is based on Federal Rule of Civil Procedure Rule 23(e), the  
23 Notice, the Motion, the supporting Memorandum of Points and Authorities, and  
24 accompanying exhibits, the pleadings and papers on file in this action, and upon  
25 such argument and evidence as may be presented at any hearing on the motion.

1 RESPECTFULLY SUBMITTED this 11<sup>th</sup> day of April, 2005.

2  
3 By   
4 \_\_\_\_\_  
5 Lee Phillips  
6 Reginald T. Shuford  
7 Dan Pochoda  
8 Attorneys for Plaintiffs  
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1 Original of the foregoing  
2 mailed/delivered this 11   
3 day of April, 2005, to:

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12 Attorneys for Plaintiffs

13 **UNITED STATES DISTRICT COURT**  
14 **FOR THE DISTRICT OF ARIZONA**  
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16  
17 **VERONICA ARNOLD**, on behalf of  
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22 **ARIZONA DEPARTMENT OF**  
23 **PUBLIC SAFETY (DPS), et al.**

24 Defendants.  
25

CIV 01-1463 PCT-JAT

**EXHIBIT 1 TO MOTION FOR  
APPROVAL OF PROPOSED  
SETTLEMENT AND CLASS  
CERTIFICATION**

## **SETTLEMENT AGREEMENT**

**United States District Court, District of Arizona, #CIV 01-01463 PCT-JAT**

**(United States Court of Appeals for the Ninth Circuit, #03-15915)**

### **I. INTRODUCTION**

This Settlement Agreement ("Agreement") is made and entered into by and between Veronica Arnold, Tonya Arrington, Anthony Dorsett, Vincent Edwards, Barrington Folkes, Jim Lee, Jesus Sagrero, Raul Salazar, Gregory Stephen, Frank Vilas, the Plaintiff Class as defined below, (hereinafter "Plaintiffs"), and the Arizona Department of Public Safety ("DPS" or "Agency"), Governor Janet Napolitano, DPS Director Dennis Garrett, DPS Lt. Colonel William Reutter, DPS Ofc. John Adams, DPS Sgt. Jeff Brownlee, DPS Ofc. Casey Kasun, DPS Ofc. Howard McDonald, and DPS Ofc. Steven Shroufe (hereinafter "Defendants").

WHEREAS, on August 6, 2001, Plaintiffs filed a class action complaint alleging that DPS engaged in a continuing pattern and practice of race-based traffic stops, detentions and searches of non-Caucasian motorists;

WHEREAS, Plaintiffs' claims were brought pursuant to the Fourth and Fourteenth Amendments to the Constitution of the United States; 42 U.S.C. §1983, and Title VI of the Civil Rights Act of 1964, 42 C.F.R. §§ 42.101 et. seq;

WHEREAS, Plaintiffs' class action was brought pursuant to Rule 23(a) and Rule 23(b)(2) of the Federal Rules of Civil Procedure ("FRCP"), on behalf of themselves and all other persons similarly situated. Each individual class representative is a non-Caucasian person who has been stopped, detained,

and/or searched by one or more DPS officers while traveling in a vehicle on a street or highway in Arizona. Thus, each is a member of the Plaintiff class;

WHEREAS, Defendants deny all allegations against them; and

WHEREAS the parties have given careful consideration to all of the legal and factual issues raised by Plaintiffs' complaint and, without any admission of liability or fault, enter into this Settlement Agreement with the intent to fully, finally and fairly resolve all of Plaintiffs' claims, and have agreed to settle all claims that were or could have been asserted by Plaintiffs in this lawsuit, except those claims which are identified herein and exempted from the coverage of this Settlement Agreement;

NOW, THEREFORE, in consideration of the terms and conditions set forth below, the parties to this suit agree as follows:

## II. SCOPE OF AGREEMENT

### A. Remand to United States District Court

This Settlement Agreement is subject to all required class action settlement approval procedures under Rules 23(b)(2) and 23(e), FRCP. The Agreement will be submitted for review and approval per Rule 23 to the Honorable James A. Teilborg, United States District Judge, District of Arizona.

Upon the execution of this Agreement by counsel for the parties, a stipulation will be filed with the Ninth Circuit Court of Appeals to dismiss the pending appeal without prejudice to its reinstatement, so that jurisdiction may be re-vested in the District Court and the matter remanded for review and approval of the settlement. The parties will follow the procedures set forth in Paragraphs 45 and 46 of Appendix A of the General Orders of the Ninth Circuit.

If the Settlement Agreement is subsequently accepted and approved by the District Court, the dismissal of the Plaintiffs' appeal will become a dismissal with prejudice as provided in Paragraphs 45 and 46 of Appendix A of the General Orders of the Ninth Circuit.

Upon remand, the parties will petition the District Court to enter an order suspending the judgment of dismissal it previously entered in this matter on April 14, 2003, in order that the Court may proceed with its review of this Agreement pursuant to Rule 23, FRCP. If the Agreement is subsequently accepted and approved by the District Court, the lawsuit will then be dismissed in the manner specified in Paragraph II(B), below, and dismissal of Plaintiffs' appeal with prejudice will occur pursuant to Paragraphs 45 and 46 of Appendix A of the General Orders of the Ninth Circuit. If this Agreement is not accepted and approved by the District Court, the Court will enter an order reinstating its previous judgment of dismissal entered on April 14, 2003, and the Plaintiffs may proceed to take appropriate steps to reactivate their pending appeal.

All elements of this Agreement, including, but not limited to, the provisions set forth below involving class certification and the scope of the Plaintiff Class, are contingent upon the acceptance and approval of the Settlement Agreement by the District Court. No party will be considered to have waived, or be estopped to assert, any legal position, objection, claim or defense in this litigation as a result of his/her/its participation in this Settlement Agreement or the negotiations that preceded it.

B. Stipulated Order of Dismissal

By this Agreement the parties intend to terminate this litigation. If the settlement is approved by the District Court, the proceeding will be dismissed

in full with prejudice by stipulated order ("Stipulated Order of Dismissal") pursuant to Federal Rules of Civil Procedure ("F.R.C.P.") 41(a)(2). Damages claims of unnamed individual class members only will be exempted from the stipulated order as provided in Paragraph II(E), below.

C. Class Definition

The proposed Plaintiff Class consists of all non-Caucasian persons who have been or will be stopped, detained and/or searched by an officer or officers of DPS while traveling in a vehicle on a street or highway within Arizona between January 1, 1997, and the date which is three calendar years after the effective date of this Agreement. The class is for injunctive relief; no subclasses or damages claims remain. If the settlement is accepted and approved by the District Court, the Court will contemporaneously certify the Plaintiff Class under Rule 23(b)(2), FRCP.

D. No Admissions

By entering into this Agreement the Defendants do not admit to any violations of, or failure to comply with, any Federal or State constitutional provisions, statutes, regulations or other laws. This Agreement is not, and shall not be construed as or deemed to be, an admission by Defendants of any wrongdoing by DPS, by any individual Defendant, or by any other state officer, official or employee. Likewise, this Agreement is not and shall not be deemed to be an admission by Plaintiffs that no wrongdoing was engaged in by the Defendants, nor that Defendants complied with applicable laws and constitutional provisions.

...

...

The parties acknowledge that this Agreement represents a compromise of disputed claims, and the matters set forth in this document are not to be construed in any respect as an admission of liability by any party.

E. Nature of Relief

If the Settlement Agreement is accepted and approved by the District Court, the Plaintiff Class will be certified pursuant to Rule 23(b)(2), FRCP. This Agreement shall be deemed to extend to all claims of the individual named Plaintiffs, and to the injunctive and declaratory claims of the Plaintiff Class. As of the effective date of the Agreement, all damages claims of the individual named Plaintiffs shall be dismissed with prejudice.

This Agreement has no impact on or prejudicial effect as to damages claims of unnamed individual class members. However, the applicable statutes of limitation on any such damages claims shall not be deemed to have been tolled while this lawsuit and/or appeal have been pending.

None of the provisions of this Agreement shall be construed in such a manner as to require any Defendant, or any agency, officer or official of the State of Arizona, to engage in any conduct that violates the United States or Arizona Constitutions, or any federal or state law. Any provision of this Agreement which is in conflict with the United States or Arizona Constitutions or any federal or state law is null and void and shall have no effect. Such invalidity of one or more provisions of the Agreement shall not affect the remaining provisions or the enforceability thereof. In the event any provision of this Agreement is determined to be in conflict with the United States or Arizona Constitutions or any federal or state law, the parties' representatives will promptly convene to draft alternative language that carries out the original

intent of the Agreement, if it is possible to do so in a manner that conforms with existing law.

F. Effective Date

The effective date of this Agreement shall be the date on which the Court directs dismissal of the Complaint (hereinafter "Effective Date") pursuant to the Stipulated Order of Dismissal provided for in Paragraph II(B), above.

G. Enforceable and Full Agreement

This Agreement is legally enforceable by the parties, and constitutes the full and complete expression of the Agreement between them. There are no collateral written or oral agreements between the parties, and the parties are not relying on any statements, representations or promises except as set forth herein. This Agreement cannot be modified or amended except in writing, signed by the parties' legal representatives.

H. Duration of Agreement

This Agreement shall terminate three (3) years after the effective date of the Agreement. If it is specifically provided herein that a particular provision of the Agreement shall extend longer than three years, that provision will be enforceable by the parties for the duration of the time period indicated.

I. Future Lawsuits

Plaintiffs acknowledge that the terms of this Agreement affect statewide policies and practices of the DPS. Plaintiffs agree that as long as DPS complies with the terms of this Agreement, neither they nor their representative, while the Agreement is in effect, will initiate or participate in any new suit or action against DPS seeking relief as to the policies and practices complained of in the Complaint and/or which are covered by this Agreement, except that unnamed

individual class members may pursue damages claims as provided in Paragraph II(E), above. Subject to the terms and conditions of this Agreement, the dismissal with prejudice of the Complaint in this action shall have res judicata effect on the Plaintiffs as required by applicable law.

J. Representatives for Implementation and Enforcement

For purposes of the implementation and enforcement of this Agreement, the representatives of the parties shall be:

Plaintiffs: The American Civil Liberties Union of Arizona ("ACLU"), or attorneys acting under its direction.

Defendants: The Arizona Attorney General's Office, or contract attorneys acting under its direction.

III. DPS POLICIES AND PROCEDURES

A. Prohibition of Racial Profiling

For purposes of interpretation, implementation and enforcement of this Agreement, "racial profiling" is defined as the reliance on race, skin color, and/or ethnicity as an indication of criminality, reasonable suspicion or probable cause, except when part of a description of a suspect, and said description is timely, reliable and geographically relevant.

DPS will maintain its present policy that the intentional practice of racial profiling is wrong and will not be tolerated. DPS General Order 4.2.30 will identify racial profiling to be a form of racially biased policing, which is prohibited by General Order 4.2.30. The text of General Order 4.2.30, which is attached to this Agreement as an exhibit, has been accepted and agreed to by the parties. This version of General Order 4.2.30 will be officially implemented by DPS on or before the effective date of this Agreement.

B. Traffic Stop Procedures

General Order 4.2.30 will provide: "An officer shall not detain a vehicle or its occupants for investigative purposes longer than is reasonably necessary to accomplish the purpose of the traffic stop, unless reasonable suspicion or probable cause of criminal activity exists. An officer cannot detain a vehicle or its occupants for the sole purpose of allowing time for the arrival or use of a drug detection canine unless reasonable suspicion or probable cause of criminal activity exists. This subsection is not intended to prevent an officer from requesting that the owner or driver of a vehicle voluntarily consent to a search of the vehicle or to the use of a drug detection canine."

General Order 4.2.30 will require that DPS officers introduce themselves by name to all persons stopped. If a person requests further identifying information from the officer during the course of a traffic stop, the officer will provide his or her rank, badge number and supervisor's name.

C. Consent Searches

DPS officers will use a written consent form whenever a search is requested during a traffic stop. Officers shall not have the discretion to decline to use a written consent form because the officer deems the use of the form to be inconvenient or time consuming.

The written consent form in Spanish and English is attached hereto, and shall be utilized by the requesting DPS officer with a duplicate copy given to the person involved after being filled out and signed. The officer shall enter the information and sign the form if the person involved declines to sign. DPS' copy of completed consent forms shall be kept by DPS for a minimum of one

year. General Order 4.2.30 shall be modified to include the above requirements.

D. Videotaping of Traffic Stops

As to all patrol vehicles with vehicle-based video systems, DPS will adopt procedures which provide that the video and audio components of the vehicle's video system will be activated once a traffic stop has begun, and are to be left in operation throughout the duration of the traffic stop. This will be the policy regardless of whether the video system is automatically or manually activated. Videotapes or discs from patrol car video systems will be preserved for at least one year. DPS' written policies concerning patrol car video systems will be added to or amended as necessary to incorporate these requirements.

E. Patrol Car Video Systems

DPS will work toward the goal of having vehicle-based video systems in all of its patrol vehicles throughout the state. DPS will make good faith efforts to accomplish this goal as soon as is reasonably possible, taking into account budgetary constraints. All available sources of funding will be considered in attempting to accomplish this goal. DPS will request at least fifty vehicle-based video systems per year in its proposed budgets submitted to the Governor during the next three fiscal years, unless the situation has progressed to the point that fewer than fifty video systems are needed to actually accomplish the goal of having all patrol vehicles throughout the state equipped with video systems.

Until such time as all patrol cars throughout the state have vehicle-based video systems, DPS will prioritize its assignment of new equipment to areas where drug transportation activities appear to be most prevalent. At the

present time, those areas are: Interstate 40 across Northern Arizona, Interstate 17 between Phoenix and Flagstaff, Interstates 8 and 10 across Central and Southern Arizona, and Interstates 19 and 10 between Nogales and Phoenix.

F. Training

Within four months of the effective date of this Agreement, all sworn officers of DPS will be required to have viewed a video in-service training update regarding the Agency's policies on racial profiling and the contents of this Settlement Agreement.

On or before the effective date of the Agreement, training regarding racial profiling will be incorporated into DPS' Advanced Basic Training course for new officers. This training will incorporate the use of the course outline attached hereto, "Racial Profiling Training Outline."

Within one year of the effective date of the Agreement, all DPS Highway Patrol officers and canine unit officers will complete a training course based on the National Highway Traffic Safety Administration's ("NHTSA") guidelines for professional traffic stops. DPS will provide the Plaintiffs' representative with documentation showing that this requirement of the Settlement Agreement has been fulfilled. Once the first year of the Agreement has elapsed, any officer transferring into a Highway Patrol or canine unit assignment will be required to complete the NHTSA-based training course within ninety days of the transfer.

IV. DATA COLLECTION AND ANALYSIS

A. Data Collection Involving Traffic Stops

On or before the effective date of the Agreement, DPS will implement use of new traffic stop forms (traffic citations, warnings and equipment repair

orders), which, in addition to their enforcement-related functions, provide for the collection of data relevant to the nature, duration, and grounds for the police officer/citizen contact. The new forms will be capable of being electronically scanned, so that the information on the forms is recorded and stored in an electronic data bank. Samples of the new traffic stop forms are attached hereto.

The parties agree that DPS' traffic stop forms will provide for the collection of the data described below. For five years from the effective date of the Agreement, DPS will not implement new traffic stop forms or amend such forms in a manner which causes any of the data described below to not be collected, unless the change in question has been consented to by the Plaintiffs' representative. The consent of the Plaintiffs' representative is not required if the change in question is ordered by a court of competent jurisdiction and authority.

Traffic stop forms will provide for the collection of at least the following data:

- (1) Reason for the contact.
- (2) Type of contact (driver, passenger, pedestrian, or other).
- (3) Whether a search was performed.
- (4) Whether a requested search was refused.
- (5) The legal/factual basis for the search. (For example, consent, probable cause, plain view, K-9 alert, etc.)
- (6) Who or what was searched (vehicle, driver, passenger).
- (7) Types of items seized in the search (drugs, weapons, currency, etc.)
- (8) Duration of the stop.

- (9) Direction of travel.
- (10) Race/ethnicity of the person contacted, using the following categories:
  - Native American
  - Asian/Pacific Islander
  - Black
  - Hispanic
  - Middle Eastern
  - White
  - Other or Undetermined.
- (11) Gender of the person contacted.
- (12) Vehicle description (if a vehicle was involved).
- (13) Badge numbers of back-up officers, if any.

For the duration of the Agreement, DPS will, on a semi-annual basis, prepare a computer disc containing the electronic data collected through use of its traffic stop forms during the preceding six months, and will provide that disc, free of charge, to the Plaintiffs' representative.

While this Agreement is in effect, DPS' copies of completed traffic stop forms (traffic citations, warnings and equipment repair orders) will be kept and preserved by DPS for at least three years from the date the form was used. While the Agreement is in effect, electronic data scanned from traffic stop forms will be kept and preserved by DPS for at least five years from the date the electronic data was first created.

B. Monitoring of the Data Collection Process

DPS will implement spot checking procedures with the objective of confirming that the data from traffic stop forms is being reliably scanned and electronically recorded. This spot checking will occur at least quarterly, and will involve, but not necessarily be limited to, DPS randomly selecting paper

records and matching information from such records with information from the electronic dataset.

C. Traffic Stop Data Analysis

DPS will develop and implement a plan for review and analysis of its statistical data generated from traffic stops. One objective of the review and analysis will be to check for indicia of possible racial profiling by DPS officers.

The plan for review and analysis of traffic stop data will be designed and carried out by qualified outside consultants with demonstrated technical and analytical background, in consultation with DPS. A Request for Proposals for the consultants' services will be publicly disseminated within ninety days of the effective date of the Agreement. A contract with outside consultants will be finalized as soon as possible thereafter, in accordance with the procedures required by Arizona's laws governing the competitive bidding process. The consultants and DPS will formulate the proposed plan and method for traffic stop data analysis within one year of the effective date of the Agreement. DPS' plan for analysis of traffic stop data will include a comprehensive analysis of at least 12 months worth of traffic stop data that will be completed within 15 months of the effective date of the Agreement, and thereafter each year for at least the next two years.

The results of the three above-described yearly statistical analyses will be provided to the Plaintiffs' representative, free of charge, within 30 days of the completion of each analysis. If DPS chooses to continue to conduct annual comprehensive analyses after the initial three have been concluded, the Plaintiffs' representative may obtain the results of subsequent analyses pursuant to Arizona's public records laws, and will be charged the same fees

for reproduction and delivery of the relevant records as would be charged to members of the general public.

D. Follow-Up To Indicia of Possible Racial Profiling

If DPS' review and analysis of its traffic stop data indicates, under criteria endorsed by DPS' outside consultants, that a particular unit or officer may be engaging in racial profiling, DPS will take reasonable steps to investigate and closely monitor the situation. If DPS concludes that the enforcement activity of the unit or officer in question is inappropriate, it will take corrective and/or disciplinary measures, including, but not necessarily limited to, ordering changes in practice or procedure, requiring additional training, changing duty assignments, and/or disciplinary action against individuals. Records of any instance in which a DPS officer is disciplined for racial profiling, as defined in DPS General Order 4.2.30, shall be provided free of charge to the Plaintiffs' representative within thirty days of the date the discipline is imposed, with the exception of any material that is privileged, private or confidential under state or federal law.

V. CITIZEN COMPLAINTS AND REVIEW

A. Citizen Complaints

DPS will facilitate the ability of any person involved in a traffic stop by DPS to communicate complaints or commendations about DPS personnel or practices to the Agency. To this end, within ninety days of the effective date of the Agreement, DPS will develop a link to its website that provides information in Spanish and English regarding the Agency's racial profiling policy and the process by which citizens can make complaints or commendations. The

website will also provide the informational brochure discussed below in a format that can be downloaded.

Within ninety days of the effective date of the Agreement DPS will publish the attached informational brochure, "An Important Message For You." On the portion of the brochure relating to complaints and commendations, the brochure will include the telephone numbers of DPS and the Arizona Attorney General's Civil Rights Division. DPS will distribute the brochure by the methods its uses to distribute other written material to the public, including, but not necessarily limited to, distribution at DPS district offices, at highway rest stops, at Motor Vehicle Division offices, and at special events such as school assemblies and job fairs. Upon initial publication, DPS will provide the Plaintiffs' representative with one thousand copies of the brochure, free of charge. Thereafter, for the duration of the Agreement, the Plaintiffs' representative may obtain additional copies of the brochure from DPS by paying the printing costs for the number of brochures requested.

On a semi-annual basis for the duration of the Agreement, DPS will provide the Plaintiffs' representative with information concerning all citizen complaints received by the agency of alleged racial profiling. Such information shall be provided to the Plaintiffs' representative free of charge. The information provided will include the number of complaints made in the preceding six months, the general nature of each complaint, the name of the officer or officers complained of, whether the complaint remains under investigation or has been disposed of, and, if applicable, the disposition of the complaint. The information provided will not include the names or other

identifying information relating to complainants, nor any other information or data that is privileged, private or confidential under state or federal law.

B. Citizen's Advisory Board

Within ninety days of the effective date of this Agreement, a nine-member citizens' advisory board will be created by executive order of the Governor, and the members thereof appointed by the Governor. The title of the board will be the "Citizen's Traffic Stop Advisory Board". All members of the Board must meet the legal qualifications for membership on a state board or commission, as set forth in A.R.S. §38-201. Board members will be named by the Governor as follows: four persons from the membership of the Governor's African-American and Latino Advisory Committees, three persons from at least six names forwarded by a committee convened by the Plaintiffs' representative, and two persons from the public at large. The chairperson of the board will be designated by the Governor, but no person employed by a law enforcement agency or as a prosecutor shall be eligible to be chairperson. The Chairperson shall be responsible for convening meetings of the Board that shall occur no less than three times per year.

Except as otherwise provided in this Section, persons employed in law enforcement or otherwise employed or working in the criminal justice system are eligible to be members of the Board; however, persons employed by DPS are not eligible to be members, and no more than two persons employed in law enforcement or as a prosecutor may be members at any one time. No person who has served as an attorney or expert in this lawsuit for any of the parties is eligible to be a member of the Board. If a person otherwise eligible for appointment is, at the time his or her appointment could be made, involved as

a party, attorney, or expert in any civil or criminal case involving claims of racial profiling, such person shall be ineligible for appointment at that time.

The Citizens' Traffic Stop Advisory Board shall function for at least five years from the effective date of the Agreement. Thereafter, the continued existence of the Board is at the discretion of the Governor. Any vacancies shall be filled within sixty days by the Governor from the same membership category as the departing Board member. In the event of a vacancy involving a member originally nominated by the Plaintiffs' representative, the Governor shall choose the replacement member from two candidates nominated by the Plaintiffs' representative. No more than one of the two persons nominated as a replacement member can have been previously nominated for the Board by the Plaintiffs' representative.

The Citizens' Traffic Stop Advisory Board will review DPS' practices, policies and procedures relating to racial profiling, traffic stops, traffic stop data collection and analysis, and vehicle searches, including the requirements of this Agreement. The Board may recommend to the DPS Director and Governor any proposed changes or improvements in DPS policies and practices that the Board approves by majority vote of the membership. The Board shall have access to any DPS records, data, statistics or reports the Board deems necessary to make informed assessments and recommendations, with the exception of any such material that is privileged, private or confidential under state or federal law. The Board may receive and consider input from citizens, community groups, law enforcement and the parties' representatives pertaining to potential or perceived race-based vehicle stops and/or vehicle searches by DPS personnel, and to related DPS policies and procedures.

## VI. IMPLEMENTATION

### A. Public Statement

The parties will use their best efforts to reach agreement on the text of a joint press release to announce this Settlement Agreement at the time it is accepted and approved by the District Court. The issuance of a joint press release will not preclude any party from issuing separate statements to the media about the Agreement, its legal and factual background, or other related matters.

### B. Mediation

If, during the duration of the Agreement, any dispute arises about compliance or a claim of non-compliance with the terms and conditions of the Agreement, the parties' representatives will make a good faith effort to resolve the problem by means of direct negotiation. If the dispute cannot be resolved between the parties within sixty days of the complaining party's representative providing written notice of the dispute to the other party's representative, the matter may be submitted by either party to a mutually acceptable mediator for purposes of non-binding mediation.

### C. DPS Official Responsible for Implementation

The Assistant Director, Agency Support Division, will oversee and be responsible for DPS implementation and compliance with this Agreement. In the event that there is an administrative reorganization of DPS while the Agreement is in effect, the DPS Director will designate a new person to be responsible for implementation and compliance with the Agreement; any such person must hold a rank no lower than that which is equivalent to an Assistant Director in the present DPS organizational plan.

D. New or Changed Policies or Methods Relevant to The Agreement

While the Agreement is in effect, within twenty days of issuance, DPS will provide copies to the Plaintiffs' representative of any new forms, policies, procedures or practices, or additions and/or revisions thereto, which are adopted by DPS to carry out the terms of this Agreement, or which are used or relate to DPS' gathering and analysis of statistical information relating to traffic stops and vehicle searches. Copies of these materials shall be provided to the Plaintiffs' representative free of charge.

E. Records Related to Implementation of This Agreement

All DPS records which address or involve DPS' compliance with and implementation of the Settlement Agreement shall be deemed to be records that are "reasonably necessary or appropriate to maintain an accurate knowledge of [DPS'] official activities, and of any of their activities which are supported by funds from the state," within the meaning of A.R.S. §39-121.01(B). All such records shall be maintained, cared for and preserved as required by Arizona's public records laws and the regulations adopted to implement said laws.

Unless a preservation requirement is specifically stated herein, this Settlement Agreement shall not be interpreted to require the preservation of any document, record, material, object, data or information for a time period longer than that which is required by Arizona's public records laws and the regulations adopted to implement said laws.

For the duration of this Agreement, DPS will cooperate with and facilitate requests for records made by the Plaintiffs' representative pursuant to Title 39, Chapter 1, Article 2 of Arizona Revised Statutes. Any such request by the

Plaintiffs' representative shall be delivered directly to the DPS Assistant Director, Agency Support Division, or to his/her successor designated pursuant to Paragraph VI(C), above. Unless specifically provided otherwise in this Agreement, the Plaintiffs' representative will be charged the same fees for reproduction and delivery of records as would be charged to members of the general public.

F. Meetings

While the Agreement is in effect, the Defendants agree that their representative and the DPS official designated pursuant to Paragraph VI(C), above, will participate in face-to-face meetings with the Plaintiffs' representative to discuss the steps taken to implement the terms of the Settlement Agreement. Such meetings will be held at the request of Plaintiffs' representative, but may be requested no more frequently than one meeting every six months.

G. Choice of Law

Arizona law shall govern the interpretation of this Agreement.

H. Interpretation

The parties agree that no court, mediator, or other person or body called upon to interpret this Agreement should apply any presumption that particular provisions of the Agreement must be more strictly construed against the party that wrote or contributed the provisions in question, it being agreed that counsel for the parties participated collectively in the negotiation and drafting of the Agreement. The Agreement shall not be construed for or against the position of any party because of the role of that party or his/her/its counsel in preparing the Agreement.

## VII. ATTORNEY FEES

In full settlement of all actual and potential claims for attorney fees and costs arising from this litigation and from implementation of this Agreement, Defendants shall pay to Plaintiffs' counsel the amount of \$139,589.78. This amount shall be paid in full, by a check drawn in the manner specified by Plaintiffs. Said payment shall be made no later than thirty (30) days from the effective date of the Agreement. If payment is not made within forty-five (45) days of the effective date, Plaintiffs shall receive interest at the rate of 10%, calculated from the effective date until the date the payment is made.

IN WITNESS WHEREOF, the undersigned have executed this Settlement Agreement in case number CIV 01-01463 PCT-JAT, United States District Court, District of Arizona, in counterpart originals.

**COUNSEL FOR PLAINTIFFS:**

LAW OFFICE OF LEE B.  
PHILLIPS, P.C.

By: \_\_\_\_\_  
Lee B. Phillips  
Date: \_\_\_\_\_

AMERICAN CIVIL LIBERTIES UNION  
OF ARIZONA

By: \_\_\_\_\_  
Daniel J. Pochoda  
Date: \_\_\_\_\_

AMERICAN CIVIL LIBERTIES UNION

By: \_\_\_\_\_  
Reginald T. Shuford  
Date: \_\_\_\_\_

**COUNSEL FOR DEFENDANTS:**

ATTORNEY GENERAL OF ARIZONA

\_\_\_\_\_  
Terry Goddard  
Date: \_\_\_\_\_

MANGUM, WALL, STOOPS & WARDEN,  
P.L.L.C.

By: \_\_\_\_\_  
Michael H. Hinson  
Date: \_\_\_\_\_

By: \_\_\_\_\_  
Franklin J. Hoover  
Date: \_\_\_\_\_





SUBJECT: **Racially Biased Policing**  
DATE: January 1, 2005  
SUPERSEDES: GO 4.2.30, dated January 1, 2004

GENERAL  
ORDER  
NUMBER  
**4.2.30**

## **I. Purpose**

This general order establishes the Department's commitment to unbiased policing, to clarify the circumstances in which officers can consider race/ethnicity when making law enforcement decisions, and to reinforce procedures that serve to assure the public we are enforcing laws in an equitable manner.

## **II. Policy**

Racially biased policing, including racial profiling is unethical and unacceptable. The Department will not tolerate the racial or ethnic profiling of any group and prohibits any policy, procedure, or practice that constitutes profiling any person based on race, skin color, and/or ethnicity for the purpose of traffic stops or investigation.

## **III. Definitions**

- A. *Probable cause*: Information sufficient to justify a belief by a reasonable person that the suspect committed or is about to commit an offense.
- B. *Racial or ethnic profiling*: The reliance on race, skin color, and/or ethnicity as an indication of criminality, reasonable suspicion, or probable cause, except when part of a description of a suspect, and said description is timely, reliable, and geographically relevant.
- C. *Racially biased policing*: Applying or incorporating personal, societal, or organizational biases and/or stereotypes as the basis, or factors considered, in decision-making, police actions, or the administration of justice.
- D. *Reasonable suspicion*: Specific facts which, together with rational inferences from those facts, reasonably warrant suspicion that the suspect committed or is about to commit an offense.

## **IV. Initiating Enforcement, Public Contact, and Investigations**

- A. Sworn personnel are prohibited from using the race, skin color, and/or ethnicity of a person in developing reasonable suspicion or probable cause for stopping a vehicle, issuing a citation, making an arrest, conducting a field interview or investigative detention, conducting a search, or other law enforcement actions, except as permitted by subsection B, below.

- B. This general order does not prohibit sworn personnel from considering the race, skin color, and/or ethnicity of a person when it is part of a suspect description linking that suspect to a particular unlawful incident, and said description is timely, reliable, and geographically relevant.
- C. With due regard to officer safety, sworn personnel shall treat all persons with courtesy and respect when making contact.
- D. All persons stopped by an officer shall be provided with an explanation for why they were stopped, unless disclosure of such information would undermine an investigation or jeopardize the officer's safety. Providing people with an explanation for why they were stopped fosters better relations with the community and reduces the perception of bias on the part of the officer. Nothing in this subsection is intended to limit an officer's ability to interview witnesses or to speak with other persons not suspected of an offense.
- E. Officers shall introduce themselves by name to all persons stopped. If requested, the officer shall further identify himself or herself by providing his or her rank, badge number, and supervisor's name.
- F. An officer shall not detain a vehicle or its occupants for investigative purposes for longer than is reasonably necessary to accomplish the purpose of the traffic stop unless reasonable suspicion or probable cause of criminal activity exists.
- G. An officer shall not detain a vehicle or its occupants for the sole purpose of allowing time for the arrival or use of a drug detection canine unless reasonable suspicion or probable cause of criminal activity exists. This subsection is not intended to prevent an officer from requesting the owner or driver of a vehicle to voluntarily consent to a search of the vehicle or to the use of a drug detection canine.
- H. All sworn DPS personnel who initiate traffic stops shall complete an appropriate primary contact form (Citation, Warning/Repair Order, FI card, or DVER).
- I. Prior to conducting a consent search of a vehicle during a traffic stop, an officer shall obtain written consent to search the vehicle and provide a copy of the consent to search form to the owner or driver of the vehicle. Officers shall not have the discretion to decline to use a written consent to search form because the officer deems the use of the form to be inconvenient or time-consuming, or because the officer does not have the form available.

#### **V. Supervisory Responsibility**

Supervisors shall ensure their personnel are familiar with this policy and shall observe the practices of sworn personnel to ensure compliance with this policy. Supervisors will investigate any complaints of violation of this policy involving officers under their supervision. The supervisor shall document the details of the complaint, as well as his or

her disposition of the complaint and the reasons for the disposition, on a *Complaint Acceptance Report* (DPS 802-03605) and forward the report through his or her chain of command to **Internal Affairs** for review and/or further investigation.

## VI. Training

Training shall be provided on topics including, but not limited to, racially biased policing, racial or ethnic profiling, cultural diversity, interaction with members of the public, policy, ethics, and related topics. Training may be conducted through in-service or special courses.

\_\_\_\_\_  
Approved

\_\_\_\_\_  
Date



ARIZONA DEPARTMENT OF PUBLIC SAFETY  
**CONSENT TO SEARCH**

DR NO.  
NUMERO DE D.R.

**Draft**

STOP LOCATION  
LOCALIZACION DE PARADA

ENFORCEMENT DOCUMENT NO.  
NUMERO DE DOCUMENTO DE APLICACION DE LEY

I, \_\_\_\_\_ give consent to search my  
(print full name)  
vehicle and any of its contents under my control. I understand that:

- (1) I can refuse to allow my vehicle to be searched.
- (2) I can withdraw my consent to search at any time.
- (3) Any evidence found during this search can be used against me in court.
- (4) This consent does not include property of any individual adult passengers. Separate consent must be obtained from those individuals.

X

Signature

Date

Address of Search

WITNESS #1

X

Signature

Title

Date

WITNESS #2

X

Signature

Title

Date



DEPARTAMENTO DE SEGURIDAD PUBLICA DE ARIZONA  
**CONSENTIR DE SER REVISADO**

Yo, \_\_\_\_\_ doy consentimiento para que  
Escriba nombre completo (letra de molde)  
revisen mi vehiculo y cualquiera de su contenidos bajo mi control. Entiendo que:

- (1) Puedo rechazar permitir que mi vehiculo sea revisado.
- (2) Puedo retirar mi consentimiento de revision en cualquier momento.
- (3) Cualquier evidencia que se encuentre durante esta revision puede ser usada en mi contra en la corte.
- (4) Este consentimiento no incluye propiedad de cualquier individual pasajeros de adulto. Un consentimiento separado se debe obtener de esos individuos.

X

Firma

Fecha

Direccion donde ocurri6 la revision

TESTIGO #1

X

Firma

Título

Fecha

TESTIGO #2

X

Firma

Título

Fecha

DISTRIBUTION: Copy 1 - DEPARTMENT ★ Copy 2 - OFFICER ★ Copy 3 - SUBJECT / SIGNER  
Copia 1 - DEPARTAMENTO ★ Copia 2 - OFICIAL ★ Copia 3 - SUJETO / FIRMANTE

**I. INTRODUCTION**

**A. Training Objectives**

1. To combat racially biased policing, including racial profiling
2. To create an understanding of, commitment to, and compliance with DPS policy, G.O. 4.2.30
3. To promote professional behavior in all police-citizen encounters and to improve community relations
4. To decrease legal liability for DPS and its officers

**B. What is Racially Biased Policing?**

1. Racially biased policing occurs when an officer permits personal, societal, or organizational biases to affect his or her professional interaction with any person. Racially biased policing includes practices often referred to as racial profiling.
2. Racially biased policing is often defined narrowly: law enforcement activities that are initiated solely on the basis of race or ethnicity
  - a. This definition mischaracterizes the issue because rarely does this happen - even an officer who is truly racially prejudiced probably uses more than the single factor of race when conducting biased law enforcement
  - b. Officers might make biased decisions using criteria like neighborhood + race, age of car + race, gender + race, reasonable suspicion + race and all of these are examples of racially biased policing
3. Thus, better explanation is that racially biased policing occurs when law enforcement inappropriately considers race or ethnicity in deciding with whom and how to intervene in an enforcement capacity
4. Hard to determine reality between racially biased policing by law enforcement and citizens' perceptions of racially biased policing.
5. There are 3 main issues that may lead to racially biased policing, or the perception of racially biased policing
  - a. "Bad apples" - small minority of racist officers, or

## ***Racially biased policing Training Outline***

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negative/disrespectful officers whose treatment of citizens result in the perception or reality of racially biased policing

b. Well-meaning officers - despite good intentions, these officers' behavior may manifest racially biased policing, or give rise to the perception

1. Some officers may not even be aware of the extent to which race/ethnicity influences their enforcement decision-making

c. Institutional practices that may contribute to problems

1. Pre-conceived notions and stereotyping can interfere with effective policing by targeting the wrong individuals. Are enforcement efforts achieving the desired results?

2. Agency practices may result in disparate impact on racial/ethnic groups. Although disparate impact may not be the result of racially biased policing, law enforcement must realize it may lead to citizens' perceptions of bias.

3. Examples of institutional practices that may contribute to problems include a seatbelt campaign that results in disproportionate stops, searches, and/or citations of minority motorists, drug sweeps in particular neighborhoods.

6. In summary, important to keep in mind that few, if any, people are totally free of bias in one form or another.

a. Most people stereotype others who they don't know in some, often benign, way. Stereotypes of a group don't necessarily apply to an individual in that group.

b. A discussion regarding officer & agency bias is not a search for the saintly and pure, but a search for well-intentioned individuals who are willing to consider & challenge their own biases and to make a conscious effort not to allow those biases to affect their decision-making.

### **C. History of the Issue at DPS**

1. DPS was the first law enforcement agency in AZ to enact a policy prohibiting racially biased policing.

2. DPS also began to explore the idea of incorporating data on race/ethnicity, stops, and searches into a system that would also track citations and

officer activity.

a. Give an explanation of current data collection & analysis efforts/ process.

3. In 2000, allegations of racially biased policing began to arise in some of DPS' criminal drug interdiction cases.

a. over the next few years, these types of allegations arose and were litigated in several counties across Arizona, as well as in federal court.

b. Coconino County

1. defendants in a number of criminal cases alleged racial profiling by officers – these cases were consolidated for the purpose of resolving the racial profiling issue

2. defendants brought in an expert, Dr. Lamberth and, based on statistics, they made a preliminary showing of racial profiling, which entitled them to discovery of several years worth of DPS' traffic citations

3. a second expert, Dr. Solop, analyzed the citations and completed a report that concluded racial profiling was occurring

4. the court never made an ultimate determination regarding racial profiling because the case was dismissed when it was discovered that DPS had failed to turn over all of its citations as the court had ordered – dismissal is on appeal

5. regardless of the lack of the ultimate determination of racial profiling, DPS was lambasted in the media, the involved officers and their families were personally affected, and a negative public opinion of DPS resulted

c. Yavapai County

1. as in Coconino County, defendants in several cases alleged racial profiling and their cases were consolidated

2. defendants made a preliminary showing of racial profiling and discovery was ordered

3. defendants asked the court to appoint an expert to analyze the data turned over by DPS and the court denied the appointment of an

## ***Racially biased policing Training Outline***

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expert, finding that racial profiling is not a criminal defense but is a civil issue – the ruling is on appeal

d. allegations of DPS and racial profiling have also been raised in Maricopa, Gila, Apache and Graham counties

e. federal court - Minnesota

1. allegations of racial profiling was raised in DPS drug interdiction case being handled by AUSA in Minnesota

2. discovery of DPS citations was ordered and after reviewing them, the defense filed a motion to suppress the drug evidence or dismiss the case based on racial profiling

3. the DPS officer involved had marked on the citation that the driver was white, when in fact the driver was African American. In written findings following an initial hearing, the judge expressly stated that he did not find the DPS officer's explanation to be credible. That type of finding can potentially affect an officer's entire career because it bears on the officer's integrity and honesty.

4. the court ultimately denied the motion to suppress/dismiss but did not decide the issue of racial profiling

5. the case went to trial and the defendant was found guilty, but it will probably be appealed and the issue of racial profiling may be reviewed by the appeals court

f. other cases with allegations of racial profiling are currently pending in AZ District Court and Coconino County

4. In 2001 some criminal defendants filed a civil lawsuit against DPS alleging civil rights violations. These defendants were substantially the same as those in the Coconino County case that was dismissed.

5. In 2003, DPS began collecting data and devising a plan to analyze and use this data as a management tool.

a. In addition to using data for racially biased policing purposes, the data is useful as tool for management to assess the allocation of resources, the effectiveness of enforcement practices, etc.

## ***Racially biased policing Training Outline***

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6. Many of the allegations raised in the criminal and civil cases were covered by the media and impacted a number of officers personally.

a. Example: several officers in Flagstaff reported that their wives/families were approached in public places and confronted by citizens asking about or commenting on the news reports

7. The community's perception of racially biased policing by law enforcement, regardless of whether racially biased policing is actually occurring, has a corrosive effect on law enforcement's ability to carry out their duties.

a. Effects of negative public opinion can include erosion of trust in law enforcement, loss of support for public safety initiatives, inhibited flow of information from the public, officers placed at risk because mistrustful citizens may harm officers or fail to assist officers in need.

### **D. Policy Statement**

1. What are the core mission & values of policing?

a. G.O. 1.2.10

1. mission is to protect human life & property by enforcing the laws

2. agency values include excellence (striving to improve services, human & community relations), courtesy (treating all persons with courtesy and respect), and service (DPS was created to serve others).

b. adherence to and protection of civil rights and liberties is central to the police mission, not an obstacle to effective policing

2. What is DPS' policy statement on racially biased policing? G.O. 4.2.30

a. Racially biased policing by law enforcement is unethical and unacceptable.

b. DPS will not tolerate the racial or ethnic profiling of any group by any of its officers.

c. DPS prohibits any policy, procedure or practice that constitutes or encourages profiling any person based on race, skin color, and/or ethnicity for the

purpose of traffic stops or investigation.

**E. DPS Policy Definitions**

1. *Reasonable suspicion*: Specific facts which, taken together with rational inferences from those facts, reasonably warrant suspicion that the suspect committed or is about to commit an offense.

2. *Probable cause*: Information sufficient to justify a belief by a reasonable person that the suspect committed or is about to commit an offense.

3. *Racial profiling*: The reliance on race, skin color, and/or ethnicity as an indication of criminality, reasonable suspicion, or probable cause, except when part of a description of a suspect and said description is timely, reliable and geographically relevant.

a. Other agencies may use different definitions. The U.S. Department of Justice defines racial profiling as: "any police-initiated action that relies on the race, ethnicity, or national origin rather than the behavior of an individual or information that leads the police to a particular individual who has been identified as being, or having been, engaged in criminal activity."

4. *Racially biased policing*: Applying or incorporating personal, societal, or organizational biases and/or stereotypes as the basis, or factors considered, in decision-making, police actions, or the administration of justice.

5. Racial profiling is a type of racially biased policing.

**II. ENFORCEMENT CONTACT**

**A. Contact Tracking Information**

1. All sworn employees who initiate traffic stops are required to complete a contact form.

a. citation, warning/repair order, field information (FI) card, or driver vehicle examination report (DVER).

b. completion of the appropriate form must include information related to the reason for the contact, and the race/ethnicity of the person contacted.

2. DPS will use the data collected in a variety of ways, including the

following.

- a. to track citations as required by statute: A.R.S. §§ 28-1557 & - 1558.
- b. to develop intelligence where appropriate
- c. to determine whether personnel is effectively and adequately deployed in areas where high enforcement may be needed
- d. to identify and eliminate any patterns of racially biased policing or disparate enforcement impact on minorities

**B. Use of Race/Ethnicity**

**1. Significance of *Whren v. U.S.*, 116 S.Ct. 1769 (1996).**

- a. *Whren* held that under the Fourth Amendment, an officer's subjective intentions are not relevant as long as the officer had objective probable cause, such as a traffic law violation, for a traffic stop.
- b. However, this holding does not mean that it is legal for racial bias to be a subjective intention as long as an officer has some objective criteria to stop, such as a speeding violation.
- c. The Court in *Whren* specifically noted that the Fourteenth Amendment prohibits selective law enforcement based on race.

**2. Decision points - where could racially biased policing occur?**

- a. When deciding who to contact or detain.
- b. When deciding what attitude to adopt during contact.
- c. When deciding how long a stop will last.
- e. When deciding who to search or from whom to request consent to search.
- f. When deciding who to cite or arrest.
- g. When deciding how dangerous a suspect is, or what level of

force to use.

h. When deciding who to detain for a K9 search.

3. DPS policy prohibits the use of race or ethnicity in making decisions at all these levels.

a. Routine patrol duties must be carried out without consideration of a citizen's race, ethnicity or skin color.

4. **Traffic stops** - DPS policy prohibits the use of race, skin color, or ethnicity in developing reasonable suspicion or probable cause for stopping a vehicle, issuing a citation, making an arrest, conducting a field interview or investigative detention, or conducting a search.

5. Studies have shown that race/ethnicity is not a useful predictor of criminality, either as a sole factor or in combination with other factors. In fact, "hit rate" reports of traffic stops and searches show that minorities are no more likely, and very often less likely, to have drugs, weapons or other contraband than non-minorities.

6. Further, using race in determining who is committing crime involves an error in logic.

b. Even if in an officer's experience most of his drug arrests are of members of a particular race, that does not mean that if he pulls over a person of that race he or she is more likely to have drugs.

7. No data exists to support the faulty assumption that because a person is a minority they are more likely to be a criminal. This assumption will result in ineffective law enforcement.

8. Example 1: While parked by the side of the highway, an officer notices that nearly all vehicles are exceeding the posted speed limit. Although each vehicle is committing an infraction that would legally justify a stop, the officer may not use race or ethnicity as a factor in deciding which motorists to pull over, or which detained motorists to ask for a consent to a search of a vehicle.

9. Example 2: In connection with a new initiative to increase drug arrests, law enforcement begins aggressively enforcing speeding, traffic and vehicle equipment violations, predominantly stopping people of a particular race. The decision to focus on a particular race is based on the general assumption or belief that people of this race are traditionally arrested for more drug-related crimes than those of other races. Is this

## ***Racially biased policing Training Outline***

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enforcement focus ok or not? NOT ok.

10. Example 3: Officer Blue has worked a particular area of I-17 for five years. He has received specialized training in drug interdiction and often focuses his enforcement efforts on drug interdiction. His typical practice is to park his patrol vehicle and run radar. He stops only the drivers who are speeding more than 10 m.p.h. over the speed limit. After completing a traffic stop, he routinely asks the driver for consent to search the vehicle. During this five-year period, he asked all drivers for consent to search. In 60% of the cases in which he found significant quantities of drugs during his consent search, the driver was of Hispanic origin. Based on this past experience, Officer Blue decides to try to increase his drug load statistics by stopping Hispanic drivers for speeding more than 5 m.p.h. over the speed limit, but stopping white drivers only when they are speeding more than 15 m.p.h. over the speed limit. Is Officer Blue's enforcement decision ok or not? NOT ok.

11. **Suspect-specific** - officers may use race, skin color, or ethnicity when it is part of a suspect description linking that suspect to a particular unlawful incident, and said suspect description is timely, reliable, and geographically relevant.

12. Example 1: While parked on the side of the highway, an officer receives information to be on the look-out for a fleeing bank robbery suspect, a man of a particular race and particular hair color, in his thirties, driving a blue automobile. The officer may use this description, including the race of the particular suspect, in deciding which motorists to stop. Officers should keep in mind that even with a suspect-specific description, officers may only use race as one factor among several to develop reasonable suspicion or probable cause. Race should never be used as the sole factor.

13. Example 2: DPS receives a tip from a reliable informant that an African American male, wearing a red hat and driving a 1999 white Dodge Intrepid with a partial license plate description of Q- - 2 -8 is headed eastbound on I-40 near Williams and that the vehicle contains over 100 pounds of marijuana. An officer sees a white Dodge Intrepid fitting the description with an African American male driver eastbound on I-40 near Williams. Can he consider the race of the driver in deciding whether to initiate a traffic stop? YES, because it is part of a suspect-specific description, and the description is timely, reliable, and geographically relevant.

14. Example 3: GITEM is investigating the murder of a known gang member. They have information that the shooter is a member of a rival gang. Members of this rival gang are typically Hispanic. Can detectives focus their investigative efforts on Hispanic individuals? NO. This information is not suspect-specific; there is no description of a particular assailant.

**C. Citizen Contact**

1. Officers shall treat all citizens with courtesy and respect.
2. Officer shall introduce themselves by name to all persons stopped.
3. If requested by the citizen, an officer shall further identify himself or herself by providing his or her rank, badge number, and supervisor's name.
4. Officers shall provide all persons stopped with an explanation for why they were stopped
  - a. unless disclosure of that information would jeopardize officer safety or undermine an investigation
5. Providing citizens with an explanation for why they were stopped fosters better relations with the community.
6. Providing citizens with an explanation also reduces the belief that they were stopped for an improper reason, such as an officer's bias.
7. Officers should keep in mind that although traffic stops are a routine part of their job, many citizens are unaccustomed to police contact, and are very nervous and/or defensive when stopped. Nervous or defensive behavior does not necessarily indicate suspicious or criminal behavior.

**D. Detention**

1. Officers should not detain a vehicle or its occupants for investigative purposes longer than is reasonably necessary to accomplish the purpose of the traffic stop, unless reasonable suspicion or probable cause of criminal activity exists.
  - a. This is the policy and the law!
2. An officer may detain a citizen only as long as necessary to effectuate the purpose of the traffic stop.
  - a. To detain further, the encounter must be consensual, or the officer must have reasonable suspicion of additional criminal activity.
  - b. An officer cannot detain a vehicle or its occupants for the sole

purpose of allowing time for the arrival or use of a drug detection canine unless reasonable suspicion or probable cause of criminal activity exists.

3. Even when reasonable suspicion exists, an officer may detain a person only long enough to pursue a means of investigation likely to quickly confirm or dispel his or her suspicions.

a. The courts have not established a hard-and-fast time regarding length of detention. The facts surrounding the detention are examined on a case-by-case basis.

4. Detentions should never be based on race or ethnicity, or on assumptions about the propensity of citizens of particular racial backgrounds to commit certain types of crimes.

**E. Consent to Search**

1. Officers may request voluntary consent to search during a traffic stop.

a. Consent must be freely and voluntarily given, no coercion.

b. Officer is not required to advise citizen that he is free to go after completing the traffic stop. *Ohio v. Robinette*, 117 S.Ct. 417 (1996). However, doing so may help to establish the voluntariness of the encounter and the consent.

2. Officers shall obtain written consent to search a vehicle.

a. Two-part form, one part goes to the citizen, one part retained by officer

b. If the owner or driver verbally consents but refuses to sign the consent to search form, the officer shall write "verbally consented but refused to sign" on the form, and provide a copy to the owner or driver.

3. Use of a written form will help to counter claims in criminal cases that consent was not obtained.

4. Officers should be careful to ensure that when asking for consent to search, the traffic stop portion of the stop is concluded and the citizen is remaining voluntarily.

a. However, this does not prevent an officer from requesting

consent even when reasonable suspicion exists to detain a person beyond the purpose of the traffic stop.

5. Example 1: A DPS officer patrolling I-10 stopped a car matching the description of an attempt to locate broadcast. He also observed the driver make 2 unsignalled lane changes. After determining the driver had a valid license and registration, the officer returned the paperwork and issued a written warning. The officer turned away from the driver and his car, and walked toward his patrol car. The officer stopped, turned to the driver and asked, "Are you carrying any guns, bombs, drugs, knives or anything in the car that isn't supposed to be there?" The driver replied no and the officer requested consent to search the car. The driver said he didn't care, and reviewed and signed a consent to search form. The officer then searched the vehicle. Was this a valid consensual encounter and consent search? YES. The court in *State v. Acinelli*, 191 Ariz. 66 (App. 1997) said it was, noting that based on the totality of the circumstances a reasonable person would've believed he was free to leave and not under arrest.

6. Example 2: A DPS officer stopped a truck on I-40 for a traffic violation. After about 15 minutes, he issued a warning and advised the driver that he was free to leave. As he began to walk away, the officer asked whether there were any guns or drugs in the truck. The driver answered no, consented to a search, and signed a consent to search form. The officer found nothing in the front passenger area, but the bed of the truck contained a large compressor. Although the compressor looked new, it had different coloring on the bottom, and seams that were different on the bottom. There were also paintbrush marks, and blue carpet fibers adhering to the bottom. It was unusually heavy, and did not sound hollow when tapped. The officer called for a drug detection dog, and the dog did not alert. The initial search took 45 minutes. The officer then asked the driver if he would follow the officer to the nearest station, about 12 miles away, in the direction the driver had been traveling. The **driver** agreed, and a second dog at the station alerted on the compressor. Was this a valid consent search? Was the detention reasonable? YES. The court in *State v. Flores*, 195 Ariz. 199 (App. 1999) said it was a valid consensual search and the consent was without limitation so the time of detention was reasonable. The driver never withdrew consent and continued to be voluntarily cooperative.

7. Consent to search should never be requested based on race or ethnicity, or on assumptions about the propensity of citizens of particular racial backgrounds to commit certain types of crimes.

### **III. CONSEQUENCES OF POLICY VIOLATION**

**A. Investigation & Discipline**

1. All complaints regarding racially biased policing will be investigated.
  - a. Some investigations have already occurred based on allegations made in criminal cases or findings by criminal courts regarding an officer's racial bias.
  - b. A command-level DPS officer will discuss investigations and outcomes.
2. Complaints regarding violations of the policy will be investigated by the supervisor of the named officer.
  - a. If the supervisor determines the officer is in violation of the policy, a report will be generated and forwarded to Internal Affairs for further investigation.
3. Investigations may also be initiated based on the analysis of the data collected by the Department, or audits of the citation tracking system.
4. As with any other internal investigation, a sustained finding will result in appropriate discipline. Violations of this policy, or a finding of racial profiling, can lead to discipline up to and including termination. A command-level DPS officer will facilitate a discussion about levels of discipline.

**B. Impeachment**

1. Evidence of an officer's racial bias may also be considered *Brady* material (potentially exculpatory material) and, as such, must be disclosed to the defense in a criminal case.
2. This information can then be used by the defense to impeach an officer's credibility during testimony and could serve to weaken the state's case.
3. Effective law enforcement includes not only direct enforcement in the field, but also successful prosecution of offenders.
4. A sustained finding of racially biased policing or bias, or an issue regarding an officer's credibility, can seriously impact an officer's effectiveness.

**HANDOUTS:**

General Order 4.2.30, Racial or Ethnic Profiling in Law Enforcement

**REFERENCES:**

Fridell, Lorie, Robert Lunney, Drew Diamond and Bruce Kubu. 2001. *Racially Biased Policing: A Principled Response*. Washington, D.C.: Police Executive Research Forum.

U.S. Department of Justice Racially biased policing Fact Sheet. June 17, 2003.

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ARIZONA DEPARTMENT OF PUBLIC SAFETY

**WARNING / EQUIPMENT REPAIR ORDER**

ISSUE NUMBER

**DRAFT**

SOCIAL SECURITY NUMBER (O Same as DL #)

DRIVER'S LICENSE NUMBER

STATE

CLASS

DRIVER	NAME: FIRST		MIDDLE		LAST				
	RESIDENTIAL ADDRESS				CITY	STATE   ZIP CODE			
VEHICLE	<input type="radio"/> MALE	WEIGHT	HEIGHT	EYES	HAIR	ORIGIN	DATE OF BIRTH (MM/DD/YYYY)	RESTRICTIONS	PHONE
	<input type="radio"/> FEMALE								
AT ON	COLOR	YEAR	MAKE	MODEL	STYLE	LICENSE PLATE	STATE	EXPIR. DATE	VEHICLE IDENTIFICATION NUMBER (VIN)
	REGISTERED OWNER (O SAME AS DEFENDANT)				ADDRESS				
OFFICER	DATE (MM/DD/YYYY)	TIME OF DAY	<b>SPEED</b>	APPROX	POSTED	R&P	SPEED MEASUREMENT DEVICE	EQUIPMENT NO.	DIRECTION OF TRAVEL
	HIGHWAY	MILEPOST	LOCATION <input type="radio"/> OFF-HIGHWAY				<input type="radio"/> RADAR <input type="radio"/> LASER <input type="radio"/> VASCAR <input type="radio"/> OTHER		<input type="radio"/> NORTH <input type="radio"/> WEST <input type="radio"/> SOUTH <input type="radio"/> EAST
									COURT CODE   STATE OF ARIZONA
	OFFICER				BADGE NO.		LOCATION CODE NO.		

**DRIVER SIGNATURE:** X**WARNING FOR VIOLATING**

- |   |  |  |
|---|--|--|
| <input type="radio"/> EXPIRED REGISTRATION 28-2153A               | <input type="radio"/> TRAFFIC CONTROL DEVICE 28-644  | <input type="radio"/> IMPROPER TURN POSITION 28-751        |
| <input type="radio"/> REGISTRATION NOT IN POSSESSION 28-2158C     | <input type="radio"/> SPEED 28-701 / 702             | <input type="radio"/> FAILURE TO SIGNAL LANE CHANGE 28-754 |
| <input type="radio"/> LICENSE PLATE POSITION / LEGIBILITY 28-2354 | <input type="radio"/> IMPEDING TRAFFIC 28-704        | <input type="radio"/> LAMPS REQUIRED 28-922                |
| <input type="radio"/> TRANSFER OWNERSHIP 28-2060                  | <input type="radio"/> SLOWER TRAFFIC TO RIGHT 28-721 | <input type="radio"/> FAILURE TO DIM 28-942                |
| <input type="radio"/> LICENSE NOT IN POSSESSION 28-3169           | <input type="radio"/> LANE USAGE 28-729.1            | <input type="radio"/> EYE PROTECTION 28-964A               |
| <input type="radio"/> CHANGE OF ADDRESS 28-448                    | <input type="radio"/> FOLLOWING DISTANCE 28-730      |  |
| <input type="radio"/> OTHERS (list below)                         |  | PRIMARY COMPLAINT NO.                                      |

SECTION	<input type="radio"/> ARS <input type="radio"/> TRIBAL <input type="radio"/> CC	VIOLATION
SECTION	<input type="radio"/> ARS <input type="radio"/> TRIBAL <input type="radio"/> CC	VIOLATION

**Note:** This warning is issued to you as a courtesy and to remind you to do your part in promoting safety on our highways by closely observing our traffic laws.

**EQUIPMENT REPAIR ORDER**

- |   |   |   |
|---|---|---|
| <input type="radio"/> HEADLAMP 28-924             | <input type="radio"/> TURN SIGNAL 28-939                        | <input type="radio"/> WIPER / WINDSHIELD 28-957 |
| <input type="radio"/> TAIL LAMP 28-925            | <input type="radio"/> BACK-UP LAMPS ON (forward motion) 28-940C | <input type="radio"/> SPLASH GUARDS 28-958.01   |
| <input type="radio"/> LICENSE PLATE LAMP 28-925C  | <input type="radio"/> HEADLAMP COVERS 28-941.4                  | <input type="radio"/> WINDOW TINT 28-959.01     |
| <input type="radio"/> STOP LAMP 28-927            | <input type="radio"/> HEADLAMP ADJUSTMENT 28-949C               | <input type="radio"/> HANDLEBARS 28-964C        |
| <input type="radio"/> LAMP COLOR 28-931           | <input type="radio"/> MUFFLER / SMOKE 28-955                    | <input type="radio"/> GAS CAP 28-965            |
| <input type="radio"/> WHITE LIGHT TO REAR 28-931C | <input type="radio"/> MIRROR 28-956                             |   |
| <input type="radio"/> OTHER (list below)          |   | PRIMARY COMPLAINT NO.                           |

SECTION	<input type="radio"/> ARS <input type="radio"/> TRIBAL <input type="radio"/> CC	VIOLATION
SECTION	<input type="radio"/> ARS <input type="radio"/> TRIBAL <input type="radio"/> CC	VIOLATION

**NOTICE:** A.R.S. 28-983.C states no person shall operate any vehicle after receiving a Repair Order except as may be necessary to return the vehicle to the residence or place of business of the owner or driver, if within a distance of twenty miles, or to a garage, until the vehicle and its equipment has been placed in proper repair and adjustment and otherwise made to conform to the requirement of the statute.

If you have received a Repair Order, the Certification of Correction or Adjustment of illegal or faulty equipment **MUST** be mailed to the Arizona Department of Public Safety, P.O. Box 18470, Phoenix, AZ 85005-8470 within five (5) days.

**Certification of Adjustment:** I certify that the equipment on the motor vehicle described herein indicated has been tested and/or adjusted, and upon this date complies with the requirements of the motor vehicle laws of Arizona.

Firm Name: \_\_\_\_\_ Address: \_\_\_\_\_

Signed by: X \_\_\_\_\_ Date: \_\_\_\_\_

DRIVER COPY

DPS 802-04239 (11-2004)



ARIZONA DEPARTMENT OF PUBLIC SAFETY

## WARNING / EQUIPMENT REPAIR ORDER

ISSUE NUMBER

DRAFT

SOCIAL SECURITY NUMBER (Same as DL #)

DRIVER'S LICENSE NUMBER

STATE

CLASS

NAME: FIRST

MIDDLE

LAST

RESIDENTIAL ADDRESS

CITY

STATE

ZIP CODE

☐ MALE

WEIGHT

HEIGHT

EYES

HAIR

ORIGIN

DATE OF BIRTH (MM/DD/YYYY)

RESTRICTIONS

PHONE

☐ FEMALE

COLOR

YEAR

MAKE

MODEL

STYLE

LICENSE PLATE

STATE

EXPIR. DATE

VEHICLE IDENTIFICATION NUMBER (VIN)

REGISTERED OWNER (O SAME AS DEFENDANT)

ADDRESS

DATE (MM/DD/YYYY)

TIME OF DAY

SPEED

APPROX

POSTED

R&amp;P

SPEED MEASUREMENT DEVICE

☐ RADAR☐ LASER

EQUIPMENT NO.

DIRECTION OF TRAVEL

☐ NORTH☐ WEST☐ SOUTH☐ EAST

HIGHWAY

MILEPOST

LOCATION

☐ OFF-HIGHWAY

COURT CODE

STATE OF ARIZONA

OFFICER

BADGE NO.

LOCATION CODE NO.

DRIVER

SIGNATURE: X

## WARNING FOR VIOLATING

☐ EXPIRED REGISTRATION 28-2153A☐ TRAFFIC CONTROL DEVICE 28-644☐ IMPROPER TURN POSITION 28-751☐ REGISTRATION NOT IN POSSESSION 28-2158C☐ SPEED 28-701 / 702☐ FAILURE TO SIGNAL LANE CHANGE 28-754☐ LICENSE PLATE POSITION / LEGIBILITY 28-2354☐ IMPEDING TRAFFIC 28-704☐ LAMPS REQUIRED 28-922☐ TRANSFER OWNERSHIP 28-2060☐ SLOWER TRAFFIC TO RIGHT 28-721☐ FAILURE TO DIM 28-942☐ LICENSE NOT IN POSSESSION 28-3169☐ LANE USAGE 28-729.1☐ EYE PROTECTION 28-964A☐ CHANGE OF ADDRESS 28-448☐ FOLLOWING DISTANCE 28-730

PRIMARY COMPLAINT NO.

☐ OTHERS (list below)

SECTION

☐ ARS ☐ TRIBAL☐ CC

VIOLATION

SECTION

☐ ARS ☐ TRIBAL☐ CC

VIOLATION

Note: This warning is issued to you as a courtesy and to remind you to do your part in promoting safety on our highways by closely observing our traffic laws.

## EQUIPMENT REPAIR ORDER

☐ HEADLAMP 28-924☐ TURN SIGNAL 28-939☐ WIPER / WINDSHIELD 28-957☐ TAIL LAMP 28-925☐ BACK-UP LAMPS ON (forward motion) 28-940C☐ SPLASH GUARDS 28-958.01☐ LICENSE PLATE LAMP 28-925C☐ HEADLAMP COVERS 28-941.4☐ WINDOW TINT 28-959.01☐ STOP LAMP 28-927☐ HEADLAMP ADJUSTMENT 28-949C☐ HANDLEBARS 28-964C☐ LAMP COLOR 28-931☐ MUFFLER / SMOKE 28-955☐ GAS CAP 28-965☐ WHITE LIGHT TO REAR 28-931C☐ MIRROR 28-956

PRIMARY COMPLAINT NO.

☐ OTHER (list below)

SECTION

☐ ARS ☐ TRIBAL☐ CC

VIOLATION

SECTION

☐ ARS ☐ TRIBAL☐ CC

VIOLATION

CONTACT DATA: ☐ INVESTIGATORY / NO JURISDICTION ☐ INFORMATION ONLY

Type: <input type="radio"/> Driver <input type="radio"/> Passenger <input type="radio"/> Pedestrian <input type="radio"/> Non-Traffic	Ethnicity: <input type="radio"/> Native American <input type="radio"/> Asian/Pacific-Island <input type="radio"/> Black <input type="radio"/> Hispanic <input type="radio"/> Middle Eastern <input type="radio"/> White <input type="radio"/> Other or Undetermined <input type="radio"/> Undocumented Alien (UDA)	Reason for Contact: (Select only one) <input type="radio"/> Moving Violation <input type="radio"/> Non-moving Violation <input type="radio"/> Vehicle Equipment Violation <input type="radio"/> Investigatory Stop <input type="radio"/> Extern. Generated Info. Stop <input type="radio"/> Collision <input type="radio"/> Criminal Offense <input type="radio"/> Motorist Assist	Search Performed? <input type="radio"/> Refused <input type="radio"/> Yes <input type="radio"/> No (Only if search performed.) Search of <input type="radio"/> Vehicle <input type="radio"/> Driver <input type="radio"/> Passenger <input type="radio"/> Pedestrian	Search Authority (Only if search performed.) <input type="radio"/> Consent <input type="radio"/> Probable Cause <input type="radio"/> Incident to Arrest <input type="radio"/> Terry Search <input type="radio"/> Vehicle Inventory <input type="radio"/> Plain View <input type="radio"/> Search Warrant <input type="radio"/> K-9 Alert	Seized (Select all that apply.) (Only if search performed.) <input type="radio"/> Alcohol <input type="radio"/> Drugs <input type="radio"/> Other Contraband <input type="radio"/> Other Property <input type="radio"/> Vehicle <input type="radio"/> Weapon <input type="radio"/> Currency <input type="radio"/> None	Result (Select all that apply.) <input type="radio"/> Arrest <input type="radio"/> Citation <input type="radio"/> DVER <input type="radio"/> Field Interview <input type="radio"/> Repair Order <input type="radio"/> Tribal Citation <input type="radio"/> Warning <input type="radio"/> Warrant Arrest <input type="radio"/> Voided Warning	Stop Duration (Minutes) <input type="radio"/> 0-10 <input type="radio"/> 11-20 <input type="radio"/> 21-30 <input type="radio"/> 31-45 <input type="radio"/> 46-60 <input type="radio"/> Over 60
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ENFORCEMENT COPY

DPS 802-04239 (11-2004)



## ARIZONA DEPARTMENT OF PUBLIC SAFETY

## WARNING / EQUIPMENT REPAIR ORDER

ISSUE NUMBER

DRAFT

SOCIAL SECURITY NUMBER (Same as DL #)

DRIVER'S LICENSE NUMBER

STATE

CLASS

DRIVER	NAME: FIRST		MIDDLE		LAST					
	RESIDENTIAL ADDRESS				CITY	STATE	ZIP CODE			
	<input type="radio"/> MALE	WEIGHT	HEIGHT	EYES	HAIR	ORIGIN	DATE OF BIRTH (MM/DD/YYYY)	RESTRICTIONS	PHONE	
	<input type="radio"/> FEMALE									
VEHICLE	COLOR	YEAR	MAKE	MODEL	STYLE	LICENSE PLATE	STATE	EXPIR. DATE	VEHICLE IDENTIFICATION NUMBER (VIN)	
	REGISTERED OWNER (O SAME AS DEFENDANT)				ADDRESS					
AT ON	DATE (MM/DD/YYYY)	TIME OF DAY	SPEED →	APPROX	POSTED	R&P	SPEED MEASUREMENT DEVICE <input type="radio"/> RADAR <input type="radio"/> LASER <input type="radio"/> VASCAR <input type="radio"/> OTHER	EQUIPMENT NO.	DIRECTION OF TRAVEL <input type="radio"/> NORTH <input type="radio"/> WEST <input type="radio"/> SOUTH <input type="radio"/> EAST	
	HIGHWAY	MILEPOST	LOCATION <input type="radio"/> OFF-HIGHWAY						COURT CODE	STATE OF ARIZONA
	OFFICER						BADGE NO.	LOCATION CODE NO.		

## DRIVER

SIGNATURE: X

## WARNING FOR VIOLATING

- |   |  |  |
|---|--|--|
| <input type="radio"/> EXPIRED REGISTRATION 28-2153A               | <input type="radio"/> TRAFFIC CONTROL DEVICE 28-644  | <input type="radio"/> IMPROPER TURN POSITION 28-751        |
| <input type="radio"/> REGISTRATION NOT IN POSSESSION 28-2158C     | <input type="radio"/> SPEED 28-701 / 702             | <input type="radio"/> FAILURE TO SIGNAL LANE CHANGE 28-754 |
| <input type="radio"/> LICENSE PLATE POSITION / LEGIBILITY 28-2354 | <input type="radio"/> IMPEDING TRAFFIC 28-704        | <input type="radio"/> LAMPS REQUIRED 28-922                |
| <input type="radio"/> TRANSFER OWNERSHIP 28-2060                  | <input type="radio"/> SLOWER TRAFFIC TO RIGHT 28-721 | <input type="radio"/> FAILURE TO DIM 28-942                |
| <input type="radio"/> LICENSE NOT IN POSSESSION 28-3169           | <input type="radio"/> LANE USAGE 28-729.1            | <input type="radio"/> EYE PROTECTION 28-964A               |
| <input type="radio"/> CHANGE OF ADDRESS 28-448                    | <input type="radio"/> FOLLOWING DISTANCE 28-730      |  |
| <input type="radio"/> OTHERS (list below)                         | PRIMARY COMPLAINT NO.                                |  |

SECTION	<input type="radio"/> ARS <input type="radio"/> TRIBAL <input type="radio"/> CC	VIOLATION
SECTION	<input type="radio"/> ARS <input type="radio"/> TRIBAL <input type="radio"/> CC	VIOLATION

Note: This warning is issued to you as a courtesy and to remind you to do your part in promoting safety on our highways by closely observing our traffic laws.

## EQUIPMENT REPAIR ORDER

- |   |   |   |
|---|---|---|
| <input type="radio"/> HEADLAMP 28-924             | <input type="radio"/> TURN SIGNAL 28-939                        | <input type="radio"/> WIPER / WINDSHIELD 28-957 |
| <input type="radio"/> TAIL LAMP 28-925            | <input type="radio"/> BACK-UP LAMPS ON (forward motion) 28-940C | <input type="radio"/> SPLASH GUARDS 28-958.01   |
| <input type="radio"/> LICENSE PLATE LAMP 28-925C  | <input type="radio"/> HEADLAMP COVERS 28-941.4                  | <input type="radio"/> WINDOW TINT 28-959.01     |
| <input type="radio"/> STOP LAMP 28-927            | <input type="radio"/> HEADLAMP ADJUSTMENT 28-949C               | <input type="radio"/> HANDLEBARS 28-964C        |
| <input type="radio"/> LAMP COLOR 28-931           | <input type="radio"/> MUFFLER / SMOKE 28-955                    | <input type="radio"/> GAS CAP 28-965            |
| <input type="radio"/> WHITE LIGHT TO REAR 28-931C | <input type="radio"/> MIRROR 28-956                             |   |
| <input type="radio"/> OTHER (list below)          | PRIMARY COMPLAINT NO.   |   |

SECTION	<input type="radio"/> ARS <input type="radio"/> TRIBAL <input type="radio"/> CC	VIOLATION
SECTION	<input type="radio"/> ARS <input type="radio"/> TRIBAL <input type="radio"/> CC	VIOLATION

CONTACT DATA: ☐ INVESTIGATORY / NO JURISDICTION ☐ INFORMATION ONLY

Type: <input type="radio"/> Driver <input type="radio"/> Passenger <input type="radio"/> Pedestrian <input type="radio"/> Non-Traffic	Ethnicity: <input type="radio"/> Native American <input type="radio"/> Asian/Pacific-Island <input type="radio"/> Black <input type="radio"/> Hispanic <input type="radio"/> Middle Eastern <input type="radio"/> White <input type="radio"/> Other or Undetermined <input type="radio"/> Undocumented Alien (UDA)	Reason for Contact: (Select only one) <input type="radio"/> Moving Violation <input type="radio"/> Non-moving Violation <input type="radio"/> Vehicle Equipment Violation <input type="radio"/> Investigatory Stop <input type="radio"/> Extern. Generated Info. Stop <input type="radio"/> Collision <input type="radio"/> Criminal Offense <input type="radio"/> Motorist Assist	Search Performed? <input type="radio"/> Refused <input type="radio"/> Yes <input type="radio"/> No (Only if search performed.) Search of <input type="radio"/> Vehicle <input type="radio"/> Driver <input type="radio"/> Passenger <input type="radio"/> Pedestrian	Search Authority (Only if search performed.) <input type="radio"/> Consent <input type="radio"/> Incident to Arrest <input type="radio"/> Probable Cause <input type="radio"/> Terry Search <input type="radio"/> Vehicle Inventory <input type="radio"/> Plain View <input type="radio"/> Search Warrant <input type="radio"/> K-9 Alert	Seized (Select all that apply.) (Only if search performed.) <input type="radio"/> Alcohol <input type="radio"/> Drugs <input type="radio"/> Other Contraband <input type="radio"/> Other Property <input type="radio"/> Vehicle <input type="radio"/> Weapon <input type="radio"/> Currency <input type="radio"/> None	Result (Select all that apply.) <input type="radio"/> Arrest <input type="radio"/> Citation <input type="radio"/> DVER <input type="radio"/> Field Interview <input type="radio"/> Repair Order <input type="radio"/> Tribal Citation <input type="radio"/> Warning <input type="radio"/> Warrant Arrest <input type="radio"/> Voided Warning	Stop Duration (Minutes) <input type="radio"/> 0-10 <input type="radio"/> 11-20 <input type="radio"/> 21-30 <input type="radio"/> 31-45 <input type="radio"/> 46-60 <input type="radio"/> Over 60
---	--	---	---	--	--	---	---

OFFICER COPY

DPS 802-04239 (11-2004)





ARIZONA DEPARTMENT OF PUBLIC SAFETY

## ARIZONA TRAFFIC TICKET AND COMPLAINT

Correctly mark ☐ as ☒ using a black pen

REPORT NUMBER

COMPLAINT

10000001

SOCIAL SECURITY NUMBER (☐ Same as DL #)

MILITARY

☐ YES☐ COLLISION☐ FATALITY☐ SERIOUS INJURY☐ COMMERCIAL☐ HAZ MAT☐ 16 PASSENGER

DRIVER'S LICENSE NUMBER

STATE

CLASS

ENDORSEMENTS

PRIMARY COMPLAINT NO.

NAME: FIRST

MIDDLE

LAST

RESIDENTIAL ADDRESS

CITY

STATE

ZIP CODE

☐ MALE

EYES

HAIR

HEIGHT

WEIGHT

ORIGIN

DATE OF BIRTH (MM/DD/YYYY)

RESTRICTIONS

PHONE

BUSINESS ADDRESS

CITY

STATE

ZIP CODE

BUSINESS PHONE

COLOR

YEAR

MAKE

MODEL

STYLE

LICENSE PLATE

STATE

EXPIR. DATE

VEHICLE IDENTIFICATION NUMBER (VIN)

REGISTERED OWNER (☐ SAME AS DEFENDANT)

ADDRESS

## THE UNDERSIGNED CERTIFIES THAT:

ON

DATE (MM/DD/YYYY)

TIME OF DAY

SPEED

APPROX

POSTED

R&amp;P

SPEED MEASUREMENT DEVICE

☐ RADAR☐ LASER

EQUIPMENT NO.

☐ VASCAR☐ OTHER

DIRECTION OF TRAVEL

☐ NORTH ☐ WEST☐ SOUTH ☐ EAST

AT

HIGHWAY

MILEPOST

LOCATION

☐ OFF-HIGHWAY

PRECINCT

COUNTY

STATE OF ARIZONA

## THE DEFENDANT COMMITTED THE FOLLOWING:

SECTION

☐ ARS ☐ TRIBAL

VIOLATION

☐ CC☐ DOMESTIC VIOLENCE CASE

A DOCKET NUMBER

DISPOSITION CODES

DISPOSITION DATE

SANCTION

☐ CRIMINAL☐ CIVIL TRAFFIC☐ CRIMINAL TRAFFIC☐ PETTY OFFENSE

SECTION

☐ ARS ☐ TRIBAL

VIOLATION

☐ CC☐ DOMESTIC VIOLENCE CASE

B DOCKET NUMBER

DISPOSITION CODES

DISPOSITION DATE

SANCTION

☐ CRIMINAL☐ CIVIL TRAFFIC☐ CRIMINAL TRAFFIC☐ PETTY OFFENSE

SECTION

☐ ARS ☐ TRIBAL

VIOLATION

☐ CC☐ DOMESTIC VIOLENCE CASE

C DOCKET NUMBER

DISPOSITION CODES

DISPOSITION DATE

SANCTION

☐ CRIMINAL☐ CIVIL TRAFFIC☐ CRIMINAL TRAFFIC☐ PETTY OFFENSE

SECTION

☐ ARS ☐ TRIBAL

VIOLATION

☐ CC☐ DOMESTIC VIOLENCE CASE

D DOCKET NUMBER

DISPOSITION CODES

DISPOSITION DATE

SANCTION

☐ CRIMINAL☐ CIVIL TRAFFIC☐ CRIMINAL TRAFFIC☐ PETTY OFFENSE

SECTION

☐ ARS ☐ TRIBAL

VIOLATION

☐ CC☐ DOMESTIC VIOLENCE CASE

E DOCKET NUMBER

DISPOSITION CODES

DISPOSITION DATE

SANCTION

☐ CRIMINAL☐ CIVIL TRAFFIC☐ CRIMINAL TRAFFIC☐ PETTY OFFENSEYOU MUST  
APPEAR AT

COURT

COURT NO.

COURT PHONE NO.

BUSINESS ADDRESS

CITY

STATE

ZIP CODE

A.Z.

AT THE DATE AND TIME INDICATED

MONTH

DAY

YEAR

TIME

☐ AM☐ PMCRIMINAL: ☐ Without admitting guilt, I promise to appear as directed herein.CIVIL: ☐ Without admitting responsibility, I acknowledge receipt of this complaint.☐ VICTIM?☐ VICTIM NOTIFIED?

I certify upon reasonable grounds, I believe the person named above committed the acts described and I have served a copy of this complaint upon the defendant.

LOCATION CODE NO.

X

COMPLAINANT

BADGE NO.

ARRAIGNMENT						SPECIAL NOTES:			
CHARGES	NOT GUILTY	NOT RESPONSIBLE	NO CONTEST	GUILTY	RESPONSIBLE	DEFENDANT'S SIGNATURE*			
A						<div style="border: 1px solid black; padding: 5px;">           SPECIAL NOTES:  <input type="checkbox"/> POSSIBLE CRIMINAL RULE 11      <input type="checkbox"/> STATE SEEKS   <input type="checkbox"/> INTERPRETER REQUIRED    <input type="checkbox"/> SPANISH    <input type="checkbox"/> OTHER _____   <input type="checkbox"/> ATTORNEY NOTICE OF _____   <div style="text-align: center;"><b>CONDITIONS OF RELEASE</b></div> <input type="checkbox"/> OWN RECOGNIZANCE    <input type="checkbox"/> PLUS SPECIAL CONDITIONS, SEE RELEASE ORDER   <input type="checkbox"/> BOND / DEPOSIT                      AMOUNT _____   <input type="checkbox"/> SET REVIEW HEARING _____   <input type="checkbox"/> APPOINT ATTORNEY _____         </div>			
B									
C									
D									
E									
* By my signature above, I hereby waive my right to trial, enter a plea of guilty or responsible for the violation and consent to judgement imposing the prescribed fine or civil sanction.									
SETTINGS									
<input type="checkbox"/> PRETRIAL SET FOR _____		<input type="checkbox"/> TRAIL SET FOR _____		<input type="checkbox"/> JURY <input type="checkbox"/> BENCH _____		<input type="checkbox"/> CIVIL HEARING SET FOR _____			
DATE/JUDGE'S INITIALS: _____									
JUDGMENTS AND ORDERS OF THE COURT									
A		B		C		D		E	
<input type="checkbox"/> COP <input type="checkbox"/> NO CONTEST <input type="checkbox"/> GUILTY <input type="checkbox"/> RESPONSIBLE		<input type="checkbox"/> CIVIL HEARING <input type="checkbox"/> NOT RESP. <input type="checkbox"/> RESPONSIBLE		<input type="checkbox"/> COP <input type="checkbox"/> NO CONTEST <input type="checkbox"/> GUILTY <input type="checkbox"/> RESPONSIBLE		<input type="checkbox"/> CIVIL HEARING <input type="checkbox"/> NOT RESP. <input type="checkbox"/> RESPONSIBLE		<input type="checkbox"/> COP <input type="checkbox"/> NO CONTEST <input type="checkbox"/> GUILTY <input type="checkbox"/> RESPONSIBLE	
<input type="checkbox"/> TRIAL <input type="checkbox"/> NOT GUILTY <input type="checkbox"/> JURY <input type="checkbox"/> GUILTY <input type="checkbox"/> BENCH <input type="checkbox"/> GRANT RULE 20		<input type="checkbox"/> TRIAL <input type="checkbox"/> NOT GUILTY <input type="checkbox"/> JURY <input type="checkbox"/> GUILTY <input type="checkbox"/> BENCH <input type="checkbox"/> GRANT RULE 20		<input type="checkbox"/> TRIAL <input type="checkbox"/> NOT GUILTY <input type="checkbox"/> JURY <input type="checkbox"/> GUILTY <input type="checkbox"/> BENCH <input type="checkbox"/> GRANT RULE 20		<input type="checkbox"/> TRIAL <input type="checkbox"/> NOT GUILTY <input type="checkbox"/> JURY <input type="checkbox"/> GUILTY <input type="checkbox"/> BENCH <input type="checkbox"/> GRANT RULE 20		<input type="checkbox"/> TRIAL <input type="checkbox"/> NOT GUILTY <input type="checkbox"/> JURY <input type="checkbox"/> GUILTY <input type="checkbox"/> BENCH <input type="checkbox"/> GRANT RULE 20	
<input type="checkbox"/> SEE MINUTE ENTRY FOR SENTENCE DETAILS <input type="checkbox"/> PROBATION _____ MONTHS <input type="checkbox"/> DEFENDANT ORDERED NOT TO RETURN TO: <input type="checkbox"/> INCIDENT LOCATION _____ <input type="checkbox"/> _____		<input type="checkbox"/> SEE MINUTE ENTRY FOR SENTENCE DETAILS <input type="checkbox"/> PROBATION _____ MONTHS <input type="checkbox"/> DEFENDANT ORDERED NOT TO RETURN TO: <input type="checkbox"/> INCIDENT LOCATION _____ <input type="checkbox"/> _____		<input type="checkbox"/> SEE MINUTE ENTRY FOR SENTENCE DETAILS <input type="checkbox"/> PROBATION _____ MONTHS <input type="checkbox"/> DEFENDANT ORDERED NOT TO RETURN TO: <input type="checkbox"/> INCIDENT LOCATION _____ <input type="checkbox"/> _____		<input type="checkbox"/> SEE MINUTE ENTRY FOR SENTENCE DETAILS <input type="checkbox"/> PROBATION _____ MONTHS <input type="checkbox"/> DEFENDANT ORDERED NOT TO RETURN TO: <input type="checkbox"/> INCIDENT LOCATION _____ <input type="checkbox"/> _____		<input type="checkbox"/> SEE MINUTE ENTRY FOR SENTENCE DETAILS <input type="checkbox"/> PROBATION _____ MONTHS <input type="checkbox"/> DEFENDANT ORDERED NOT TO RETURN TO: <input type="checkbox"/> INCIDENT LOCATION _____ <input type="checkbox"/> _____	
<input type="checkbox"/> RESTITUTION _____ <input type="checkbox"/> FINE / SANCTION _____ <input type="checkbox"/> SUSPEND <input type="checkbox"/> ONLY IF REQUIREMENTS ARE MET <input type="checkbox"/> PAY _____ BY _____ AT _____ RATE _____ BEGINNING _____		<input type="checkbox"/> RESTITUTION _____ <input type="checkbox"/> FINE / SANCTION _____ <input type="checkbox"/> SUSPEND <input type="checkbox"/> ONLY IF REQUIREMENTS ARE MET <input type="checkbox"/> PAY _____ BY _____ AT _____ RATE _____ BEGINNING _____		<input type="checkbox"/> RESTITUTION _____ <input type="checkbox"/> FINE / SANCTION _____ <input type="checkbox"/> SUSPEND <input type="checkbox"/> ONLY IF REQUIREMENTS ARE MET <input type="checkbox"/> PAY _____ BY _____ AT _____ RATE _____ BEGINNING _____		<input type="checkbox"/> RESTITUTION _____ <input type="checkbox"/> FINE / SANCTION _____ <input type="checkbox"/> SUSPEND <input type="checkbox"/> ONLY IF REQUIREMENTS ARE MET <input type="checkbox"/> PAY _____ BY _____ AT _____ RATE _____ BEGINNING _____		<input type="checkbox"/> RESTITUTION _____ <input type="checkbox"/> FINE / SANCTION _____ <input type="checkbox"/> SUSPEND <input type="checkbox"/> ONLY IF REQUIREMENTS ARE MET <input type="checkbox"/> PAY _____ BY _____ AT _____ RATE _____ BEGINNING _____	
<input type="checkbox"/> OR SHOW PROOF OF: <input type="checkbox"/> COMMUNITY SERVICES TOTAL HOURS _____ BY _____ <input type="checkbox"/> INSURANCE BY _____ <input type="checkbox"/> REGISTRATION BY _____ <input type="checkbox"/> _____ BY _____		<input type="checkbox"/> OR SHOW PROOF OF: <input type="checkbox"/> COMMUNITY SERVICES TOTAL HOURS _____ BY _____ <input type="checkbox"/> INSURANCE BY _____ <input type="checkbox"/> REGISTRATION BY _____ <input type="checkbox"/> _____ BY _____		<input type="checkbox"/> OR SHOW PROOF OF: <input type="checkbox"/> COMMUNITY SERVICES TOTAL HOURS _____ BY _____ <input type="checkbox"/> INSURANCE BY _____ <input type="checkbox"/> REGISTRATION BY _____ <input type="checkbox"/> _____ BY _____		<input type="checkbox"/> OR SHOW PROOF OF: <input type="checkbox"/> COMMUNITY SERVICES TOTAL HOURS _____ BY _____ <input type="checkbox"/> INSURANCE BY _____ <input type="checkbox"/> REGISTRATION BY _____ <input type="checkbox"/> _____ BY _____		<input type="checkbox"/> OR SHOW PROOF OF: <input type="checkbox"/> COMMUNITY SERVICES TOTAL HOURS _____ BY _____ <input type="checkbox"/> INSURANCE BY _____ <input type="checkbox"/> REGISTRATION BY _____ <input type="checkbox"/> _____ BY _____	
<input type="checkbox"/> WITH PROOF, REDUCE AMOUNT TO BE PAID TO _____		<input type="checkbox"/> WITH PROOF, REDUCE AMOUNT TO BE PAID TO _____		<input type="checkbox"/> WITH PROOF, REDUCE AMOUNT TO BE PAID TO _____		<input type="checkbox"/> WITH PROOF, REDUCE AMOUNT TO BE PAID TO _____		<input type="checkbox"/> WITH PROOF, REDUCE AMOUNT TO BE PAID TO _____	
DATE OF DISPOSITION: _____		DATE OF DISPOSITION: _____		DATE OF DISPOSITION: _____		DATE OF DISPOSITION: _____		DATE OF DISPOSITION: _____	
DISPOSITION CODE: _____		DISPOSITION CODE: _____		DISPOSITION CODE: _____		DISPOSITION CODE: _____		DISPOSITION CODE: _____	
FINE: _____		FINE: _____		FINE: _____		FINE: _____		FINE: _____	
JAIL: _____		JAIL: _____		JAIL: _____		JAIL: _____		JAIL: _____	
DATE / JUDGE'S INITIALS: _____									
ON MOTION OF:		ON MOTION OF:		ON MOTION OF:		ON MOTION OF:		ON MOTION OF:	
<input type="checkbox"/> STATE <input type="checkbox"/> DEFENDANT <input type="checkbox"/> COURT <input type="checkbox"/> AMEND _____		<input type="checkbox"/> STATE <input type="checkbox"/> DEFENDANT <input type="checkbox"/> COURT <input type="checkbox"/> AMEND _____		<input type="checkbox"/> STATE <input type="checkbox"/> DEFENDANT <input type="checkbox"/> COURT <input type="checkbox"/> AMEND _____		<input type="checkbox"/> STATE <input type="checkbox"/> DEFENDANT <input type="checkbox"/> COURT <input type="checkbox"/> AMEND _____		<input type="checkbox"/> STATE <input type="checkbox"/> DEFENDANT <input type="checkbox"/> COURT <input type="checkbox"/> AMEND _____	
<input type="checkbox"/> DISMISS <input type="checkbox"/> WITH PREJUDICE <input type="checkbox"/> WITHOUT PREJUDICE		<input type="checkbox"/> DISMISS <input type="checkbox"/> WITH PREJUDICE <input type="checkbox"/> WITHOUT PREJUDICE		<input type="checkbox"/> DISMISS <input type="checkbox"/> WITH PREJUDICE <input type="checkbox"/> WITHOUT PREJUDICE		<input type="checkbox"/> DISMISS <input type="checkbox"/> WITH PREJUDICE <input type="checkbox"/> WITHOUT PREJUDICE		<input type="checkbox"/> DISMISS <input type="checkbox"/> WITH PREJUDICE <input type="checkbox"/> WITHOUT PREJUDICE	
DATE / JUDGE'S INITIALS: _____									



## ARIZONA DEPARTMENT OF PUBLIC SAFETY

## ARIZONA TRAFFIC TICKET AND COMPLAINT

Correctly mark ☐ as ☒ using a black pen

REPORT NUMBER

COMPLAINT

10000001

SOCIAL SECURITY NUMBER (☐ Same as DL #)

MILITARY

☐ YES☐ COLLISION☐ FATALITY☐ SERIOUS INJURY☐ COMMERCIAL☐ HAZ MAT☐ 16 PASSENGER

DRIVER'S LICENSE NUMBER

STATE CLASS

ENDORSEMENTS

(M) (H) (N) (P) (T) (X) (D)

PRIMARY COMPLAINT NO.

NAME: FIRST

MIDDLE

LAST

RESIDENTIAL ADDRESS

CITY

STATE

ZIP CODE

☐ MALE

EYES

HAIR

HEIGHT

WEIGHT

ORIGIN

DATE OF BIRTH (MM/DD/YYYY)

RESTRICTIONS

PHONE

BUSINESS ADDRESS

CITY

STATE

ZIP CODE

BUSINESS PHONE

COLOR

YEAR

MAKE

MODEL

STYLE

LICENSE PLATE

STATE

EXPIR. DATE

VEHICLE IDENTIFICATION NUMBER (VIN)

REGISTERED OWNER (☐ SAME AS DEFENDANT)

ADDRESS

## THE UNDERSIGNED CERTIFIES THAT:

ON	DATE (MM/DD/YYYY)	TIME OF DAY	SPEED →	APPROX	POSTED	R&P	SPEED MEASUREMENT DEVICE <input type="radio"/> RADAR <input type="radio"/> LASER <input type="radio"/> VASCAR <input type="radio"/> OTHER	EQUIPMENT NO.	DIRECTION OF TRAVEL <input type="radio"/> NORTH <input type="radio"/> WEST <input type="radio"/> SOUTH <input type="radio"/> EAST
	HIGHWAY	MILEPOST	LOCATION <input type="radio"/> OFF-HIGHWAY	PRECINCT	COUNTY	STATE OF ARIZONA			

## THE DEFENDANT COMMITTED THE FOLLOWING:

	SECTION	<input type="radio"/> ARS <input type="radio"/> TRIBAL <input type="radio"/> CC	VIOLATION	<input type="radio"/> DOMESTIC VIOLENCE CASE
A	DOCKET NUMBER	DISPOSITION CODES	DISPOSITION DATE	SANCTION <input type="radio"/> CRIMINAL <input type="radio"/> CIVIL TRAFFIC <input type="radio"/> CRIMINAL TRAFFIC <input type="radio"/> PETTY OFFENSE
B	DOCKET NUMBER	DISPOSITION CODES	DISPOSITION DATE	SANCTION <input type="radio"/> CRIMINAL <input type="radio"/> CIVIL TRAFFIC <input type="radio"/> CRIMINAL TRAFFIC <input type="radio"/> PETTY OFFENSE
C	DOCKET NUMBER	DISPOSITION CODES	DISPOSITION DATE	SANCTION <input type="radio"/> CRIMINAL <input type="radio"/> CIVIL TRAFFIC <input type="radio"/> CRIMINAL TRAFFIC <input type="radio"/> PETTY OFFENSE
D	DOCKET NUMBER	DISPOSITION CODES	DISPOSITION DATE	SANCTION <input type="radio"/> CRIMINAL <input type="radio"/> CIVIL TRAFFIC <input type="radio"/> CRIMINAL TRAFFIC <input type="radio"/> PETTY OFFENSE
E	DOCKET NUMBER	DISPOSITION CODES	DISPOSITION DATE	SANCTION <input type="radio"/> CRIMINAL <input type="radio"/> CIVIL TRAFFIC <input type="radio"/> CRIMINAL TRAFFIC <input type="radio"/> PETTY OFFENSE

YOU MUST  
APPEAR AT →

COURT

COURT NO.

COURT PHONE NO.

BUSINESS ADDRESS

CITY

STATE ZIP CODE

AZ

AT THE DATE AND TIME INDICATED →

MONTH DAY YEAR

TIME

☐ AM☐ PMCRIMINAL: ☐ Without admitting guilt, I promise to appear as directed herein.CIVIL: ☐ Without admitting responsibility, I acknowledge receipt of this complaint.☐ VICTIM?☐ VICTIM NOTIFIED?

I certify upon reasonable grounds, I believe the person named above committed the acts described and I have served a copy of this complaint upon the defendant.

LOCATION CODE NO.

X

COMPLAINANT

BADGE NO.

## CONTACT DATA

Type: <input type="radio"/> Driver <input type="radio"/> Passenger <input type="radio"/> Pedestrian <input type="radio"/> Non-Traffic Back-up Officer: <input type="radio"/> None <input type="radio"/> DPS <input type="radio"/> Other <input type="radio"/> DPS <input type="radio"/> Other	Ethnicity: <input type="radio"/> Native American <input type="radio"/> Asian/Pacific-Island <input type="radio"/> Black <input type="radio"/> Hispanic <input type="radio"/> Middle Eastern <input type="radio"/> White <input type="radio"/> Other or Undetermined <input type="radio"/> Undocumented Alien (UDA)	Reason for Contact: (Select only one) <input type="radio"/> Moving Violation <input type="radio"/> Non-moving Violation <input type="radio"/> Vehicle Equipment Violation <input type="radio"/> Investigatory Stop <input type="radio"/> Extern. Generated info. Stop <input type="radio"/> Collision <input type="radio"/> Criminal Offense <input type="radio"/> Motorist Assist	Search Performed? <input type="radio"/> Refused <input type="radio"/> Yes <input type="radio"/> No (Only if search performed.) Search of: <input type="radio"/> Vehicle <input type="radio"/> Driver <input type="radio"/> Passenger <input type="radio"/> Pedestrian	Search Authority (Only if search performed.) <input type="radio"/> Consent <input type="radio"/> Incident to Arrest <input type="radio"/> Probable Cause <input type="radio"/> Terry Search <input type="radio"/> Vehicle Inventory <input type="radio"/> Plain View <input type="radio"/> Search Warrant <input type="radio"/> K-9 Alert	Seized (Select all that apply.) (Only if search performed.) <input type="radio"/> Alcohol <input type="radio"/> Drugs <input type="radio"/> Other Contraband <input type="radio"/> Other Property <input type="radio"/> Vehicle <input type="radio"/> Weapon <input type="radio"/> Currency <input type="radio"/> None	Result (Select all that apply.) <input type="radio"/> Arrest <input type="radio"/> Citation <input type="radio"/> DVER <input type="radio"/> Field Interview <input type="radio"/> Repair Order <input type="radio"/> Tribal Citation <input type="radio"/> Warning <input type="radio"/> Warrant Arrest <input type="radio"/> Voided Citation	Stop Duration (Minutes) <input type="radio"/> 0-10 <input type="radio"/> 11-20 <input type="radio"/> 21-30 <input type="radio"/> 31-45 <input type="radio"/> 46-60 <input type="radio"/> Over 60
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## ARIZONA DEPARTMENT OF PUBLIC SAFETY

## ARIZONA TRAFFIC TICKET AND COMPLAINT

Correctly mark ☐ as ☒ using a black pen

REPORT NUMBER

COMPLAINT

10000001

SOCIAL SECURITY NUMBER (☐ Same as DL #)

MILITARY

☐ YES☐ COLLISION☐ FATALITY☐ SERIOUS INJURY☐ COMMERCIAL☐ HAZ MAT☐ 16 PASSENGER

DRIVER'S LICENSE NUMBER

STATE

CLASS

ENDORSEMENTS

PRIMARY COMPLAINT NO.

M H N P T X D

NAME: FIRST

MIDDLE

LAST

RESIDENTIAL ADDRESS

CITY

STATE

ZIP CODE

☐ MALE

EYES

HAIR

HEIGHT

WEIGHT

ORIGIN

DATE OF BIRTH (MM/DD/YYYY)

RESTRICTIONS

PHONE

BUSINESS ADDRESS

CITY

STATE

ZIP CODE

BUSINESS PHONE

COLOR

YEAR

MAKE

MODEL

STYLE

LICENSE PLATE

STATE

EXPIR. DATE

VEHICLE IDENTIFICATION NUMBER (VIN)

REGISTERED OWNER (☐ SAME AS DEFENDANT)

ADDRESS

## THE UNDERSIGNED CERTIFIES THAT:

ON	DATE (MM/DD/YYYY)	TIME OF DAY	SPEED	APPROX	POSTED	R&P	SPEED MEASUREMENT DEVICE <input type="radio"/> RADAR <input type="radio"/> LASER <input type="radio"/> VASCAR <input type="radio"/> OTHER	EQUIPMENT NO.	DIRECTION OF TRAVEL <input type="radio"/> NORTH <input type="radio"/> WEST <input type="radio"/> SOUTH <input type="radio"/> EAST
	HIGHWAY	MILEPOST	LOCATION <input type="radio"/> OFF-HIGHWAY	PRECINCT	COUNTY	STATE OF ARIZONA			

## THE DEFENDANT COMMITTED THE FOLLOWING:

A	SECTION	<input type="radio"/> ARS <input type="radio"/> TRIBAL <input type="radio"/> CC	VIOLATION	<input type="radio"/> DOMESTIC VIOLENCE CASE
	DOCKET NUMBER	DISPOSITION CODES	DISPOSITION DATE	SANCTION <input type="radio"/> CRIMINAL <input type="radio"/> CIVIL TRAFFIC <input type="radio"/> CRIMINAL TRAFFIC <input type="radio"/> PETTY OFFENSE
B	SECTION	<input type="radio"/> ARS <input type="radio"/> TRIBAL <input type="radio"/> CC	VIOLATION	<input type="radio"/> DOMESTIC VIOLENCE CASE
	DOCKET NUMBER	DISPOSITION CODES	DISPOSITION DATE	SANCTION <input type="radio"/> CRIMINAL <input type="radio"/> CIVIL TRAFFIC <input type="radio"/> CRIMINAL TRAFFIC <input type="radio"/> PETTY OFFENSE
C	SECTION	<input type="radio"/> ARS <input type="radio"/> TRIBAL <input type="radio"/> CC	VIOLATION	<input type="radio"/> DOMESTIC VIOLENCE CASE
	DOCKET NUMBER	DISPOSITION CODES	DISPOSITION DATE	SANCTION <input type="radio"/> CRIMINAL <input type="radio"/> CIVIL TRAFFIC <input type="radio"/> CRIMINAL TRAFFIC <input type="radio"/> PETTY OFFENSE
D	SECTION	<input type="radio"/> ARS <input type="radio"/> TRIBAL <input type="radio"/> CC	VIOLATION	<input type="radio"/> DOMESTIC VIOLENCE CASE
	DOCKET NUMBER	DISPOSITION CODES	DISPOSITION DATE	SANCTION <input type="radio"/> CRIMINAL <input type="radio"/> CIVIL TRAFFIC <input type="radio"/> CRIMINAL TRAFFIC <input type="radio"/> PETTY OFFENSE
E	SECTION	<input type="radio"/> ARS <input type="radio"/> TRIBAL <input type="radio"/> CC	VIOLATION	<input type="radio"/> DOMESTIC VIOLENCE CASE
	DOCKET NUMBER	DISPOSITION CODES	DISPOSITION DATE	SANCTION <input type="radio"/> CRIMINAL <input type="radio"/> CIVIL TRAFFIC <input type="radio"/> CRIMINAL TRAFFIC <input type="radio"/> PETTY OFFENSE

YOU MUST  
APPEAR AT

COURT

COURT NO.

COURT PHONE NO.

BUSINESS ADDRESS

CITY

STATE ZIP CODE

A.Z.

AT THE DATE AND TIME INDICATED

MONTH

DAY

YEAR

TIME

☐ AM☐ PMCRIMINAL: ☐ Without admitting guilt, I promise to appear as directed herein.CIVIL: ☐ Without admitting responsibility, I acknowledge receipt of this complaint.

I hereby certify that the information contained herein is a true and correct abstract of the record in this case.

JUDGE:

BY:

Clerk of the Court

DATE:



ARIZONA DEPARTMENT OF PUBLIC SAFETY

**ARIZONA TRAFFIC TICKET AND COMPLAINT**Correctly mark ☐ as ☒ using a black pen

REPORT NUMBER

COMPLAINT

10000001

SOCIAL SECURITY NUMBER (☐ Same as DL #)

MILITARY

☐ YES☐ COLLISION☐ FATALITY☐ SERIOUS INJURY☐ COMMERCIAL☐ HAZ MAT☐ 16 PASSENGER

DRIVER'S LICENSE NUMBER

STATE

CLASS

ENDORSEMENTS

PRIMARY COMPLAINT NO.

☒ M ☐ H ☐ N ☐ P ☐ T ☒ X ☐ D

NAME: FIRST

MIDDLE

LAST

RESIDENTIAL ADDRESS

CITY

STATE

ZIP CODE

☐ MALE

EYES

HAIR

HEIGHT

WEIGHT

ORIGIN

DATE OF BIRTH (MM/DD/YYYY)

RESTRICTIONS

PHONE

BUSINESS ADDRESS

CITY

STATE

ZIP CODE

BUSINESS PHONE

COLOR

YEAR

MAKE

MODEL

STYLE

LICENSE PLATE

STATE

EXPIR. DATE

VEHICLE IDENTIFICATION NUMBER (VIN)

REGISTERED OWNER (☐ SAME AS DEFENDANT)

ADDRESS

**THE UNDERSIGNED CERTIFIES THAT:**

<b>ON</b>	DATE (MM/DD/YYYY)	TIME OF DAY	<b>SPEED</b>	APPROX	POSTED	R&P	SPEED MEASUREMENT DEVICE <input type="radio"/> RADAR <input type="radio"/> LASER <input type="radio"/> VASCAR <input type="radio"/> OTHER	EQUIPMENT NO.	DIRECTION OF TRAVEL <input type="radio"/> NORTH <input type="radio"/> WEST <input type="radio"/> SOUTH <input type="radio"/> EAST
<b>AT</b>	HIGHWAY	MILEPOST	LOCATION <input type="radio"/> OFF-HIGHWAY	PRECINCT		COUNTY	STATE OF ARIZONA		

**THE DEFENDANT COMMITTED THE FOLLOWING:**

<b>A</b>	SECTION --	<input type="radio"/> ARS <input type="radio"/> TRIBAL <input type="radio"/> CC	VIOLATION		<input type="radio"/> DOMESTIC VIOLENCE CASE
	DOCKET NUMBER	DISPOSITION CODES	DISPOSITION DATE	SANCTION	<input type="radio"/> CRIMINAL <input type="radio"/> CIVIL TRAFFIC <input type="radio"/> CRIMINAL TRAFFIC <input type="radio"/> PETTY OFFENSE
<b>B</b>	SECTION --	<input type="radio"/> ARS <input type="radio"/> TRIBAL <input type="radio"/> CC	VIOLATION		<input type="radio"/> DOMESTIC VIOLENCE CASE
	DOCKET NUMBER	DISPOSITION CODES	DISPOSITION DATE	SANCTION	<input type="radio"/> CRIMINAL <input type="radio"/> CIVIL TRAFFIC <input type="radio"/> CRIMINAL TRAFFIC <input type="radio"/> PETTY OFFENSE
<b>C</b>	SECTION --	<input type="radio"/> ARS <input type="radio"/> TRIBAL <input type="radio"/> CC	VIOLATION		<input type="radio"/> DOMESTIC VIOLENCE CASE
	DOCKET NUMBER	DISPOSITION CODES	DISPOSITION DATE	SANCTION	<input type="radio"/> CRIMINAL <input type="radio"/> CIVIL TRAFFIC <input type="radio"/> CRIMINAL TRAFFIC <input type="radio"/> PETTY OFFENSE
<b>D</b>	SECTION --	<input type="radio"/> ARS <input type="radio"/> TRIBAL <input type="radio"/> CC	VIOLATION		<input type="radio"/> DOMESTIC VIOLENCE CASE
	DOCKET NUMBER	DISPOSITION CODES	DISPOSITION DATE	SANCTION	<input type="radio"/> CRIMINAL <input type="radio"/> CIVIL TRAFFIC <input type="radio"/> CRIMINAL TRAFFIC <input type="radio"/> PETTY OFFENSE
<b>E</b>	SECTION --	<input type="radio"/> ARS <input type="radio"/> TRIBAL <input type="radio"/> CC	VIOLATION		<input type="radio"/> DOMESTIC VIOLENCE CASE
	DOCKET NUMBER	DISPOSITION CODES	DISPOSITION DATE	SANCTION	<input type="radio"/> CRIMINAL <input type="radio"/> CIVIL TRAFFIC <input type="radio"/> CRIMINAL TRAFFIC <input type="radio"/> PETTY OFFENSE

**YOU MUST****APPEAR AT**

COURT

COURT NO.

COURT PHONE NO.

BUSINESS ADDRESS

CITY

STATE

ZIP CODE

A.Z.

**AT THE DATE AND TIME INDICATED**

MONTH

DAY

YEAR

TIME

☐ AM☐ PMCRIMINAL: ☐ Without admitting guilt, I promise to appear as directed herein.☐ VICTIM?☐ VICTIM NOTIFIED?CIVIL: ☐ Without admitting responsibility, I acknowledge receipt of this complaint.

I certify upon reasonable grounds, I believe the person named above committed the acts described and I have served a copy of this complaint upon the defendant.

LOCATION CODE NO.

X

COMPLAINANT

BADGE NO.

**THIS IS A TRUE COPY OF THE COMPLAINT WHICH WILL BE FILED IN COURT.****YOU ARE ADVISED TO READ THE INSTRUCTIONS ON THE REVERSE SIDE.  
IF YOU APPEAR IN COURT, PLEASE BRING THIS COPY WITH YOU.**

## IMPORTANT NOTICE TO DEFENDANT

The other side of this page is a true copy of the offense described in the complaint that will be filed in the designated court or hearing office.

The offense for which you have been cited is a Civil Traffic violation, a Criminal offense, a Criminal Traffic offense, or a Petty offense. To determine which notice(s) applies to you, look at the box(es) checked under "the defendant committed the following" on the reverse side of this notice.

### CIVIL TRAFFIC

If the **Civil Traffic** box is checked, notice is hereby given that if you fail to appear as directed in this complaint, a default judgment will be entered against you, a civil sanction will be imposed, and your license will be suspended. Your driver's license or nonresident operating privilege will remain suspended until the civil sanction is paid and you satisfy Motor Vehicle Division requirements (A.R.S. 28-1557[B][2]).

### CRIMINAL OR PETTY OFFENSE

If the **Criminal or Petty Offense** box is checked, notice is hereby given that if you fail to appear in court as directed in this complaint, a warrant will be issued for your arrest. (A.R.S. 13-3903.E).

### CRIMINAL TRAFFIC

If the **Criminal Traffic** box is checked, notice is hereby given that if you fail to appear as directed in this complaint on a criminal charge, a warrant will be issued for your arrest and your license will be suspended (A.R.S. 28-1557[B][1]).

(The court, law enforcement agency or public body responsible for issuing the Arizona Traffic Ticket and Complaint may include any additional information considered necessary to the defendant regarding appearances, pleas, and the payment of fines or civil sanctions.)



## ARIZONA DEPARTMENT OF PUBLIC SAFETY

## ARIZONA TRAFFIC TICKET AND COMPLAINT

Correctly mark ☐ as ☒ using a black pen

REPORT NUMBER

COMPLAINT

10000001

SOCIAL SECURITY NUMBER (Same as DL #)

MILITARY

☐ YES☐ COLLISION☐ FATALITY☐ SERIOUS INJURY☐ COMMERCIAL☐ HAZ MAT☐ 16 PASSENGER

DRIVER'S LICENSE NUMBER

STATE

CLASS

ENDORSEMENTS

PRIMARY COMPLAINT NO.

(M H N P T X D)

NAME: FIRST

MIDDLE

LAST

RESIDENTIAL ADDRESS

CITY

STATE

ZIP CODE

☐ MALE

EYES

HAIR

HEIGHT

WEIGHT

ORIGIN

DATE OF BIRTH (MM/DD/YYYY)

RESTRICTIONS

PHONE

☐ FEMALE

BUSINESS ADDRESS

CITY

STATE

ZIP CODE

BUSINESS PHONE

COLOR

YEAR

MAKE

MODEL

STYLE

LICENSE PLATE

STATE

EXPIR. DATE

VEHICLE IDENTIFICATION NUMBER (VIN)

REGISTERED OWNER (Same as Defendant)

ADDRESS

## THE UNDERSIGNED CERTIFIES THAT:

ON	DATE (MM/DD/YYYY)	TIME OF DAY	SPEED	APPROX	POSTED	R&P	SPEED MEASUREMENT DEVICE <input type="radio"/> RADAR <input type="radio"/> LASER <input type="radio"/> VASCAR <input type="radio"/> OTHER	EQUIPMENT NO.	DIRECTION OF TRAVEL <input type="radio"/> NORTH <input type="radio"/> WEST <input type="radio"/> SOUTH <input type="radio"/> EAST
AT	HIGHWAY	MILEPOST	LOCATION <input type="radio"/> OFF-HIGHWAY	PRECINCT	COUNTY	STATE OF ARIZONA			

## THE DEFENDANT COMMITTED THE FOLLOWING:

A	SECTION	<input type="radio"/> ARS <input type="radio"/> TRIBAL <input type="radio"/> CC	VIOLATION	<input type="radio"/> DOMESTIC VIOLENCE CASE
	DOCKET NUMBER	DISPOSITION CODES	DISPOSITION DATE	SANCTION
				<input type="radio"/> CRIMINAL <input type="radio"/> CIVIL TRAFFIC <input type="radio"/> CRIMINAL TRAFFIC <input type="radio"/> PETTY OFFENSE
B	SECTION	<input type="radio"/> ARS <input type="radio"/> TRIBAL <input type="radio"/> CC	VIOLATION	<input type="radio"/> DOMESTIC VIOLENCE CASE
	DOCKET NUMBER	DISPOSITION CODES	DISPOSITION DATE	SANCTION
				<input type="radio"/> CRIMINAL <input type="radio"/> CIVIL TRAFFIC <input type="radio"/> CRIMINAL TRAFFIC <input type="radio"/> PETTY OFFENSE
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				<input type="radio"/> CRIMINAL <input type="radio"/> CIVIL TRAFFIC <input type="radio"/> CRIMINAL TRAFFIC <input type="radio"/> PETTY OFFENSE
D	SECTION	<input type="radio"/> ARS <input type="radio"/> TRIBAL <input type="radio"/> CC	VIOLATION	<input type="radio"/> DOMESTIC VIOLENCE CASE
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				<input type="radio"/> CRIMINAL <input type="radio"/> CIVIL TRAFFIC <input type="radio"/> CRIMINAL TRAFFIC <input type="radio"/> PETTY OFFENSE
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	DOCKET NUMBER	DISPOSITION CODES	DISPOSITION DATE	SANCTION
				<input type="radio"/> CRIMINAL <input type="radio"/> CIVIL TRAFFIC <input type="radio"/> CRIMINAL TRAFFIC <input type="radio"/> PETTY OFFENSE

YOU MUST  
APPEAR AT

COURT

COURT NO.

COURT PHONE NO.

BUSINESS ADDRESS

CITY

STATE ZIP CODE

AZ

AT THE DATE AND TIME INDICATED

MONTH DAY YEAR

TIME

☐ AM☐ PMCRIMINAL: ☐ Without admitting guilt, I promise to appear as directed herein.☐ VICTIM?☐ VICTIM NOTIFIED?CIVIL: ☐ Without admitting responsibility, I acknowledge receipt of this complaint.

I certify upon reasonable grounds, I believe the person named above committed the acts described and I have served a copy of this complaint upon the defendant.

X

COMPLAINANT

BADGE NO.

LOCATION CODE NO.

## CONTACT DATA

Type: <input type="radio"/> Driver <input type="radio"/> Passenger <input type="radio"/> Pedestrian <input type="radio"/> Non-Traffic Back-up Officer: <input type="radio"/> None <input type="radio"/> DPS <input type="radio"/> Other <input type="radio"/> L <input type="radio"/> J <input type="radio"/> K <input type="radio"/> M <input type="radio"/> N <input type="radio"/> O <input type="radio"/> P <input type="radio"/> Q <input type="radio"/> R <input type="radio"/> S <input type="radio"/> T <input type="radio"/> U <input type="radio"/> V <input type="radio"/> W <input type="radio"/> X <input type="radio"/> Y <input type="radio"/> Z	Ethnicity: <input type="radio"/> Native American <input type="radio"/> Asian/Pacific-Island <input type="radio"/> Black <input type="radio"/> Hispanic <input type="radio"/> Middle Eastern <input type="radio"/> White <input type="radio"/> Other or Undetermined <input type="radio"/> Undocumented Alien (UDA)	Reason for Contact: (Select only one) <input type="radio"/> Moving Violation <input type="radio"/> Non-moving Violation <input type="radio"/> Vehicle Equipment Violation <input type="radio"/> Investigatory Stop <input type="radio"/> Extern. Generated Info. Stop <input type="radio"/> Collision <input type="radio"/> Criminal Offense <input type="radio"/> Motorist Assist	Search Performed? <input type="radio"/> Refused <input type="radio"/> Yes <input type="radio"/> No (Only if search performed) Search of <input type="radio"/> Vehicle <input type="radio"/> Driver <input type="radio"/> Passenger <input type="radio"/> Pedestrian	Search Authority (Only if search performed) <input type="radio"/> Consent <input type="radio"/> Incident to Arrest <input type="radio"/> Probable Cause <input type="radio"/> Tarry Search <input type="radio"/> Vehicle Inventory <input type="radio"/> Plain View <input type="radio"/> Search Warrant <input type="radio"/> K-9 Alert	Seized (Select all that apply.) (Only if search performed) <input type="radio"/> Alcohol <input type="radio"/> Drugs <input type="radio"/> Other Contraband <input type="radio"/> Other Property <input type="radio"/> Vehicle <input type="radio"/> Weapon <input type="radio"/> Currency <input type="radio"/> None	Result (Select all that apply.) <input type="radio"/> Arrest <input type="radio"/> Citation <input type="radio"/> OVR <input type="radio"/> Field Interview <input type="radio"/> Repair Order <input type="radio"/> Tribal Citation <input type="radio"/> Warning <input type="radio"/> Warrant Arrest <input type="radio"/> Voided Citation	Stop Duration (Minutes) <input type="radio"/> 0-10 <input type="radio"/> 11-20 <input type="radio"/> 21-30 <input type="radio"/> 31-45 <input type="radio"/> 46-60 <input type="radio"/> Over 60
---	--	---	--	---	---	---	---

DIAGRAM



NORTH

ADDITIONAL OFFICERS

DPS VEHICLE NUMBER YEAR/MAKE

MARKED  
UNIT: ☐ YES ☐ NO

SPEEDOMETER  
CALIBRATED: ☐ YES ☐ NO

DATE:

BY:

SPEED MEASURING  
DEVICE CALIBRATION CHECKED:

TUNING FORK NUMBER UNIT NUMBER

NAME I.D. NO. RADAR OFFICER I.D. NO.

NAME I.D. NO. RADAR OFFICER I.D. NO.

CONDITIONS

LIGHTNING: ☐ DAWN ☐ DAYLIGHT ☐ DUSK ☐ NIGHT ☐ STREET/LIGHTS ☐ OTHER:

WEATHER: ☐ CLEAR ☐ CLOUDY ☐ DRY ☐ WET ☐ OTHER:

TRAFFIC: ☐ LIGHT ☐ MODERATE ☐ HEAVY ☐ OTHER:

STREET LIGHTS: ☐ YES ☐ NO

ADMISSIONS/DENIALS OF DRIVER

OFFICER'S REMARKS

No. of occupants  
in vehicle: →

WITNESS LIST

NAME: ADDRESS: PHONE:

NAME: ADDRESS: PHONE:

NAME: ADDRESS: PHONE:



DRAFT

ARIZONA DEPARTMENT OF PUBLIC SAFETY  
DIRECTOR'S OFFICE MD 1000  
P.O. Box 6638  
PHOENIX, ARIZONA 85005

DETACH THIS CARD

PLACE IN ENVELOPE

APPLY POSTAGE AND MAIL  
TO ADDRESS BELOW

DRAFT

### TARGETING TERRORISM 602-223-2680

DPS is committed to working with federal, state, and local law enforcement to prevent the threat of terrorism in the state. You also can play a vital role in our efforts to keep the state safe.

The **Arizona Counter-Terrorism Information Center** operates an around-the clock "tip line" (602-223-2680) for people to call with information about suspicious persons or circumstances that may be related to terrorism. All information is taken seriously and will be investigated.

Do not ignore your feelings of uneasiness about a person or circumstances you may encounter. If you observe someone or something unusual or suspicious, take the time to contact police as soon as possible and have the situation checked out.

Some characteristics to consider are:

- Persons asking unusual questions about building security or law enforcement in the area;
- Persons taking still pictures or video, sometimes discreetly, of buildings, bridges, or other locations from unusual positions, such as from under the bridge;
- Persons asking detailed questions about the schedules of public transportation in the area that goes beyond what is readily available on published schedules;
- Persons seen timing the arrival/departure of public transportation;
- Persons seen loitering around or photographing non-public areas around reservoirs, water treatment plants, dams, or power plants;
- Persons in groups of two or three watching a building for extended periods of time;
- Persons disguised as panhandlers, street vendors or sweepers not previously seen in the area;
- Suspicious vehicles abandoned or parked in unusual places at unusual times. Try to get a license plate number and state of issuance if you can do it safely.

IF YOU ENCOUNTER AN  
EMERGENCY OR LIFE-THREATENING SITUATION  
CALL 9-1-1 IMMEDIATELY.

IF YOU HAVE INFORMATION ABOUT A  
SUSPICIOUS PERSON OR CIRCUMSTANCE THAT  
MAY BE RELATED TO TERRORISM CALL:

602-223-2680

1-877-2 SAVE AZ

AS SOON AS POSSIBLE

YOUR IDENTITY CAN BE KEPT CONFIDENTIAL

DRAFT

## AN IMPORTANT MESSAGE FOR YOU



Arizona Department of  
Public Safety

Courteous Vigilance



Janet Napolitano  
GOVERNOR

David P. Gonzales  
DIRECTOR

DRAFT

A message from the

**ARIZONA DEPARTMENT OF PUBLIC SAFETY DIRECTOR**

The Arizona Department of Public Safety (DPS) is a full-service law enforcement agency committed to serving and protecting the citizens of our state and those who visit or travel through it. The pride, tradition and reputation our Department enjoys is built on decades of dedication to duty by sworn and civilian employees.

Our mission is to enforce state laws, deter criminal activity, assure highway and public safety, and provide vital scientific, technical, and operational support to other criminal justice agencies in furtherance of the protection of human life and property. We are fulfilling our mission through the effective deployment of our personnel directed at traffic enforcement, crime suppression and homeland defense. DPS is comprised of four divisions - Highway Patrol, Criminal Investigations, Agency Support and Criminal Justice Support.

DPS officers are dedicated to reducing crime, keeping our highways safe and preventing acts of terrorism. They are law enforcement professionals and are expected to adhere to the laws of the United States, Arizona and the regulations of DPS. Our officers are committed to upholding the civil and constitutional rights of each person they encounter.

Racially biased policing has no place in DPS. We have a clear policy against this practice. We have implemented continual training and supervision of all officers to remind them of the importance of this issue and assure our citizens of our commitment to treat all people with integrity, equality and fairness.

A police officer has the most dangerous, most complicated job in America. This brochure is intended to provide information on how you can help us as we do our job. It also provides you with an easy way to express your commendation for or concern about an officer you have encountered. Please do not hesitate to contact us if we can be of service to you.

**For state/local police emergencies dial 9 - 1 - 1.**

**ARIZONA'S CHILD AMBER ALERT**

If police confirm a child abduction in Arizona, believe the child is in serious danger and there is descriptive information about a suspect and/or vehicle, the AMBER Alert will be activated. Lookouts will be broadcast on radio and television. Highway message signs will read "Child Amber Alert" and give a description of the suspect vehicle. If you see that vehicle, please dial 9 - 1 - 1.

**PROFESSIONAL TRAFFIC STOPS**

Being stopped for a traffic violation can be a stressful time for you and the police officer. DPS officers are trained to maintain professionalism and courtesy during the traffic stop.

DRAFT

**WHAT TO EXPECT FROM US DURING A TRAFFIC VIOLATION STOP**

- A greeting with the name of the officer and reason why you were stopped;
- A uniformed officer or the presentation of a badge and identification card if not wearing a uniform;
- A polite, respectful tone from the officer;
- Answers to reasonable questions;
- Prompt action in completing the citation/warning, wanted persons and driver license checks;
- An explanation of the citation/warning, with an explanation that signing the citation is required, but is not an admission of guilt;
- Probable cause that a crime is being committed permits the officer to search you and/or your vehicle without your consent;
- An officer is permitted to ask for consent to search. If consent is requested, you will generally be asked to indicate your response in writing on a form provided by the officer. You have the right to refuse a request for consent to search your vehicle.

**WHAT WE ASK OF YOU DURING A TRAFFIC STOP**

Traffic stops are never "routine." More than half of the police officers who die in the line of duty each year are killed during traffic stops. Each day officers encounter impaired drivers, illegal firearms, drugs, fugitives, and drivers with suspended licenses. This is why officers are trained to place a great deal of emphasis on their own safety and take a defensive posture at the stop until the risk of confrontation or injury is diminished.

- Carry proper identification: a valid driver's license, proof of vehicle registration and insurance;
- When signaled by the officer to stop, look for the nearest, safest place to position your vehicle as far out of the traffic lane as possible;
- Remain calm. Ask passengers to remain quiet and cooperative. Generally speaking, the officer's business will be with the driver and does not involve passengers;
- Keep your seatbelt fastened until the officer has seen you are wearing it;
- Keep your hands in view, preferably on the steering wheel and do not duck down, reach or make sudden movements;
- Turn off your engine, radio and roll down the window so the officer can speak with you;
- Don't be surprised if another patrol car appears. This is done to assure the officer's safety. Treat the officer the way you would want to be treated and the officer will respond accordingly;
- For your own safety, remain in your vehicle. If you are asked to exit, do it slowly, keep your hands in view and follow the officer's directions.

DRAFT

**COMMENDATION/COMPLAINT FORM**

Please provide the following information if you wish to commend or express your concerns about the actions of an AZ DPS officer.

Or call 6 0 2 - 2 2 3 - 2 2 1 2 - In/Outside Arizona ( 1 - 8 0 0 - 3 5 2 - 4 5 5 7 - TDD)

Arizona Attorney General's Civil Rights Division 6 0 2 - 5 4 2 - 5 2 6 3

YOUR NAME: \_\_\_\_\_

YOUR ADDRESS: \_\_\_\_\_

DATE/TIME/LOCATION OF ENCOUNTER: \_\_\_\_\_

OFFICER'S NAME & ID: \_\_\_\_\_

DESCRIBE ENCOUNTER: \_\_\_\_\_

DETACH THIS CARD, PLACE IN ENVELOPE, APPLY POSTAGE AND MAIL TO ADDRESS ON REVERSE.



ARIZONA DEPARTMENT OF PUBLIC SAFETY  
DIRECTOR'S OFFICE MD 1000  
P. O. Box 6638  
PHOENIX, ARIZONA 85005

SEPARA ESTA TARJETA COLOQUE EN EL SOBRE APLIQUE ESTAMPILLA Y ENVIAR POR  
CORREO A LA DIRECCION ABAJO

## OBJETIVO TERRORISMO

602-223-2680

El Departamento de Seguridad Publica de Arizona esta comprometido a trabajar con agencias policial de federal, del estado, y local, para prevenir la amenaza de terrorismo en el Estado. Usted tambien puede jugar un papel vital en nuestros esfuerzos de mantener el estado seguro.

El Centro de Información del Contra-Terrorismo de Arizona opera una linea telefonica para información continuamente (602-223-2680) para que personas llamen con información acerca de personas o circunstancias sospechosas que pueden ser relacionadas al terrorismo. Toda la información se tomara en serio y será investigada.

No ignore sus sentimientos de intranquilidad sobre una persona o circunstancias que usted pueda enfrentarse. Si usted observa alguien o algo fuera de lo común o sospechoso tome el tiempo para ponerse en contacto con la policía lo mas pronto posible y para que la situación sea investigada.

### Algunas características para considerar son:

- Personas que hacen preguntas fuera de lo común sobre la seguridad de un edificio o sobre la policía en el area;
- Personas que toman fotos de antepecho o video, a veces discretamente, de edificios, de los puentes, o de otras ubicaciones de posiciones fuera de lo común, tal como de bajo de un puente;
- Personas que hacen preguntas detalladas acerca de los horarios del transporte público en el área que esta fuera de lo que es prontamente disponible en horarios publicados;
- Personas observadas tomando el tiempo de la llegada/salida del transporte público;
- Personas vistas holgazanear alrededor de o fotografiando áreas privadas alrededor de embalse, alrededor de plantas de tratamiento de agua, alrededor de presas, o alrededor de las centrales eléctricas;
- Personas en grupos de dos o tres mirando un edificio por tiempo prolongado;
- Personas disfrazadas como mendigos, vendedores callejeros o barreros no previamente visto en el area;
- Vehículos sospechosos abandonados o estacionados en lugares fuera de lo común en tiempos fuera de lo común. Tratar de obtener el número de matrícula y estado de emisión si usted lo puede hacer, tomando en cuenta su seguridad.

SI USTED SE ENCUENTRA EN UNA EMERGENCIA O EN  
UNA SITUACIÓN QUE PONGA SU VIDA EN PELIGRO  
LLAME AL 9-1-1 INMEDIATAMENTE.

SI USTED TIENE INFORMACIÓN ACERCA DE  
UNA PERSONA SOSPECHOSA O CIRCUNSTANCIA QUE  
SEA RELACIONADA AL TERRORISMO LLAME AL

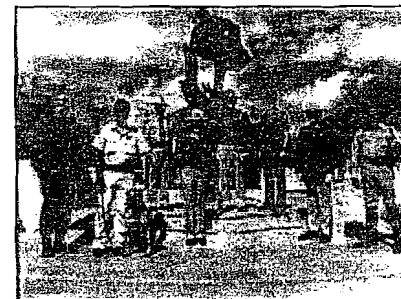
602-223-2680

1-877-272-8320

LO MAS PRONTO POSIBLE

SU IDENTIDAD PUEDE SER MANTENIDA CONFIDENCIAL

## UN MENSAJE IMPORTANTE PARA USTED



Departamento de Seguridad  
Publica

Vigilancia Cortés



Janet Napolitano  
GOBERNADORA

David P. Gonzales  
DIRECTOR

# **RECTOR DEL DEPARTAMENTO DE SEGURIDAD PUBLICA DEL ESTADO DE ARIZONA**

El Departamento de Seguridad Publica de Arizona (DPS) es una agencia de policia con todos servicios cometiada a proteger y servir a los ciudadanos de nuestro estado y los que visitan o viajan por aqui. El orgullo, tradicion y la reputacion que nuestro departamento goza se construye en cada de la dedicacion al trabajo por empleados jurados y civiles.

Nuestra mision es de cumplir con las leyes del estado, impedir actividad criminal, asegurar la seguridad publica, y la seguridad de las carreteras, y proveer cientifico vital, tecnico, y proveer el apoyo operacional a las agencias de justicia criminal. en adelantamiento de la proteccion de vida y proteccion de propiedad. Cumplimos nuestra mision por el splicgue efectivo de nuestro personal dirigido a la aplicacion del trafico, la presion del crimen y la defensa de la patria.

DPS consiste de cuatro divisiones - Patrulla de Carretera, investigaciones Criminales, Apoyo de Agencia, y Apoyo de Justicia Criminal.

Los oficiales de DPS estan dedicados a reducir el crimen, mantener estras carreteras seguras y prevenir actos de terrorismo. Ellos son profesionales de aplicacion de ley y la expectacion es adherir a las leyes de Estados Unidos, de Arizona, y de las reglas de DPS. Nuestros oficiales a cometidos a apoyar los derechos civiles y constitucionales de cada rsona que ellos enfrentan.

Racialmente influenciado custodiando no tiene lugar en DPS. Hemos una poliza clara en contra de esta practica. Nosotros hemos licado instruccion y supervision continua de todos oficiales para recordarties la importancia de este asunto y asegurarle a nuestros ciudadanos de nuestro 'prompiso' de tratar a todas las personas con integridad, igualdad y parcialidad.

Un policia tiene un trabajo muy peligroso, y muy complejo en nérica. La intencion de este folleto es de proveer informacion en como ted nos puede ayudar mientras nosotros hacemos nuestro trabajo. Tambien proporciona con una manera facil de expresar su alabanza para o ocupacion acerca de un oficial que usted ha enfrentado. Por favor no se ngue indeciso en contactarnos si le podemos servir en algo.

## **Para emergencias policial del estado o local llame al 9-1-1.**

### **ALERTA DE NIÑO ÁMBAR DE ARIZONA**

Si la policia confirma un secuestro de niño en Arizona, o cree que el io está en grave peligro y hay informacion descriptiva acerca de un spechoso y/o el vehiculo, la Alerta del ÁMBAR se activará. Vigilancia se transmitir en la radio y la television. Los mensajes letrenos de la carretera n a decir lo siguiente: "Child Amber Alert" (Alerta de niño Ámbar) y se proporcionara la descripcion del vehiculo sospechoso. Si usted ve el hiculo, favor de llamar al 9-1-1.

### **PARADAS DE TRANSITO PROFESIONAL \***

Ser parado por una infraccion de trafico puede ser estresante para usted para el policia. Los oficiales de DPS estan entrenados para mantener el profesionalismo y la cortesia durante una parada de transito.

## **QUÉ ESPERAR DE NOSOTROS DURANTE UNA PARADA DE INFRACCION DEL TRAFICO**

- Un saludo con el nombre del oficial y razon por cual usted fue parado;
- Un oficial en uniforme o la presentacion de una insignia y tarjeta de identificacion si no trae uniforme;
- Un tono cortés y respetuoso del oficial;
- Las respuestas a preguntas razonables;
- La accion puntual para completar la citacion/advertencia, personas buscadas, y verificar la licencia de conducir;
- Una explicacion de la citacion/advertencia, con una explicacion que firmando la citacion se requiere, pero no es una admision de culpabilidad;
- Tener causa con probabilidad de que un crimen se va cometer permite al oficial de registrar a usted y/o su vehiculo sin su consentimiento;
- Un oficial es permitido pedir consentimiento para buscar. Si el consentimiento se solicita, generalmente se le va pedir que usted indique su respuesta en escrito en una forma proporcionada por el oficial. Usted tiene el derecho de negarse al consentimiento de busqueda en su vehiculo.

## **QUÉ PEDIMOS DE USTED DURANTE UNA PARADA DE TRANSITO**

Las paradas de transito nunca son "la rutina." Más de la mitad de los policas que mueren en el cumplimiento a su deber cada año son matados durante paradas de trafico. Cada dia oficiales se encuentran con conductores en condicion punible, con armas de fuego ilegales, drogas, fugitivos, y conductores con licencias suspendidas. Por eso los oficiales son entrenados a poner un gran énfasis en su propia seguridad y toman una postura defensiva en la parada hasta que el riesgo de una confrontacion o daño se disminuya.

- Traiga identificacion apropiada: una licencia de conducir válida, prueba de matricula de vehiculo y seguro;
- Cuando sea señalado por el oficial de que pare, busque el lugar mas cercano y el lugar más seguro para posicionar su vehiculo lo mas retirado del carril de trafico posible;
- Permanezca tranquilo. Pida que sus pasajeros se mantengan silencios y cooperativos. Generalmente hablando, el negocio de oficial estará con el conductor y no implicará a pasajeros;
- Mantenga su cinturón de seguridad abrochado hasta que el oficial alla visto que usted lo lleva;
- Mantenga sus manos a plena vista, preferible en el volante y no se agache, ni alcance y ni haga movimientos repentinos;
- Apague el motor, el radio, y abaje la ventana para que el oficial pueda hablar con usted;
- No se sorprenda si otro coche de patrulla aparece. Esto se hace para asegurar la seguridad de los oficiales. Trate al oficial de la misma manera que quiera ser tratado y el oficial respondera en conformidad;
- Para su propia seguridad, permanezca en su vehiculo. Si le piden que salga del vehiculo, hagalo lentamente, mantenga las manos en plena vista y siga las instrucciones del oficial.

## **FORMA DE COMENDACION O DE QUEJA**

Proporcione por favor la informacion siguiente si usted desea comendar o expresar sus preocupaciones acerca de las acciones de un oficial de DPS

Llame al 602-223-2000 - En y Fuera de Arizona

1-800-352-4557-TDD

La División de Derechos Civiles de la Oficina de Procurador del Estado de Arizona 602-542-5263

SU NOMBRE: \_\_\_\_\_

SU DOMICILIO: \_\_\_\_\_

FECHA/HORARIO/LUGAR DE LO OCURRIDO: \_\_\_\_\_

NOMBRE Y NUMERO DE PLACA DEL OFICIAL: \_\_\_\_\_


DESCRIPCION DE LO OCURRIDO: \_\_\_\_\_

SEPARE ESTA TARJETA, COLOQUE EN EL SOBRE, APLIQUE ESTAMPILLA Y ENVIAR POR COREO A LA DIRECCION INDICADA

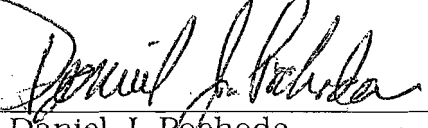
IN WITNESS WHEREOF, the undersigned have executed this Settlement Agreement in case number CIV 01-01463 PCT-JAT, United States District Court, District of Arizona, in counterpart originals.

**COUNSEL FOR PLAINTIFFS:**

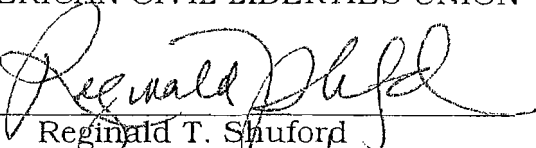
LAW OFFICE OF LEE B.  
PHILLIPS, P.C.

By:   
Lee B. Phillips  
Date: 12/17/04

AMERICAN CIVIL LIBERTIES UNION  
OF ARIZONA

By:   
Daniel J. Pochoda  
Date: 12-16-04

AMERICAN CIVIL LIBERTIES UNION

By:   
Reginald T. Shuford  
Date: 12-20-04

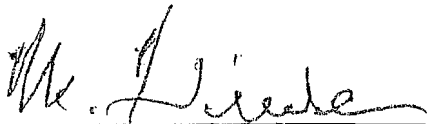
**COUNSEL FOR DEFENDANTS:**

ATTORNEY GENERAL OF ARIZONA

\_\_\_\_\_  
Terry Goddard  
Date: \_\_\_\_\_

MANGUM, WALL, STOOPS & WARDEN,  
P.L.L.C.

By:

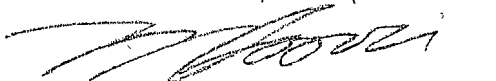


Michael H. Hinson

Date:

1/18/05

By:



Franklin J. Hoover

Date:

1/19/05

IN WITNESS WHEREOF, the undersigned has executed this Settlement Agreement in case number CIV 01-01463 PCT-JAT, United States District Court, District of Arizona, as a counterpart original.

DATED this 13 day of December, 2004.

A handwritten signature in dark ink, appearing to read "Dennis Garrett", is written over a horizontal line.

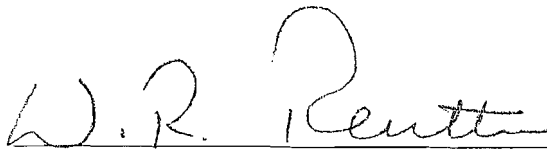
DENNIS GARRETT

Director

Arizona Department of Public Safety

IN WITNESS WHEREOF, the undersigned has executed this Settlement Agreement in case number CIV 01-01463 PCT-JAT, United States District Court, District of Arizona, as a counterpart original.

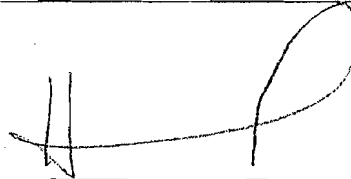
DATED this 13 day of DECEMBER, 2004.

A handwritten signature in dark ink, appearing to read "W.R. Reutter", is written over a horizontal line.

WILLIAM REUTTER  
Assistant Director, Highway Patrol Division  
Arizona Department of Public Safety

IN WITNESS WHEREOF, the undersigned has executed this Settlement Agreement in counterpart originals.

DATED this 27TH day of NOVEMBER, 2004.

A handwritten signature in black ink, appearing to be 'H. McDonald', written over a horizontal line.

OFFICER HOWARD McDONALD

IN WITNESS WHEREOF, the undersigned has executed this Settlement Agreement in case number CIV 01-01463 PCT-JAT, United States District Court, District of Arizona, as a counterpart original.

DATED this 30 day of DECEMBER, 2004.

Sergeant Jeff Brownlee #4032  
SERGEANT JEFF BROWNLEE  
Arizona Department of Public Safety

IN WITNESS WHEREOF, the undersigned has executed this Settlement Agreement in case number CIV 01-01463 PCT-JAT, United States District Court, District of Arizona, as a counterpart original.

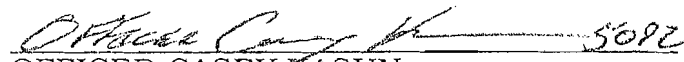
DATED this 30<sup>th</sup> day of DECEMBER, 2004.

*OFFICER John Adams*

OFFICER JOHN ADAMS  
Arizona Department of Public Safety

IN WITNESS WHEREOF, the undersigned has executed this Settlement Agreement in case number CIV 01-01463 PCT-JAT, United States District Court, District of Arizona, as a counterpart original.

DATED this 30 day of DECEMBER, 2004.

  
OFFICER CASEY KASUN  
Arizona Department of Public Safety

IN WITNESS WHEREOF, the undersigned has executed this Settlement Agreement in case number CIV 01-01463 PCT-JAT, United States District Court, District of Arizona, as a counterpart original.

DATED this 30<sup>TH</sup> day of DEC, 2004.

Sgt. Steven Shroufe #4796  
SERGEANT STEVEN SHROUFE  
Arizona Department of Public Safety